

## SENATE—Friday, January 27, 1984

(Legislative day of Monday, January 23, 1984)

The Senate met at 12 noon, on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

The PRESIDENT pro tempore. Our opening prayer will be delivered by the Reverend Richard Christian Halverson, Jr., son of the Chaplain of the Senate.

## PRAYER

The Reverend Richard C. Halverson, Jr., pastor, Chesterbrook Presbyterian Church, Falls Church, Va., offered the following prayer:

Let us pray.

Gracious God, our Heavenly Father, we ask that Your unsearchable charity be personally experienced by those for whom this prayer is made; that being loved by You, we may be taught to love our spouses and children, our friends and associates, our country and world, as written:

*"Love is patient and kind; love is not jealous or boastful; it is not arrogant or rude. Love does not insist on its own way; it is not irritable or resentful; it does not rejoice at wrong, but rejoices in the right. Love bears all things, believes all things, hopes all things, endures all things. Love never ends."*—I Corinthians 13: 4-8.

Amen.

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

Mr. BAKER. Mr. President, I thank the Chair.

## A WARM FEELING FOR NEPOTISM

Mr. BAKER. Mr. President, I congratulate the distinguished guest Chaplain, the son of our regular Chaplain, who has been with us before. I may say that as the son of a father who was a Member of Congress and a mother who was a Member of Congress, I have a distinctly warm feeling for nepotism.

## ORDER OF PROCEDURE TODAY

Mr. BAKER. Mr. President, I believe that the announcement on last evening to the effect that we would take up the crime package today is still the order of business. I will consult with the acting minority leader, as I have with the minority leader on the telephone prior to convening the

Senate, about other arrangements that may be made to provide for the consideration of ancillary matters to the crime package after disposition of the Comprehensive Crime Control Act. It would be my hope that we might be able to obtain a unanimous-consent agreement, which I have not yet cleared on my side but which we are going to work on, which would provide that we will take up the crime package today and that no amendments dealing with capital punishment, the exclusionary rule, habeas corpus, or the Federal Torts Claim Act would be eligible, in exchange for the assurance, which I have already given and now repeat, that after we dispose of the comprehensive crime package it is the intention of the leadership on this side to ask the Senate to turn to those four items, one at a time.

As I say, Mr. President, I have not yet asked the Cloak Room on this side to try to clear that agreement, but I will do so now. I hope we can complete that before it is time to turn to the consideration of the crime package. I have described this at some length now so that Members who may hear me in their offices may be aware of it. The hotline will issue from our office shortly, and I hope that we can have a reply by 12:30.

## ORDER RESERVING LEADERSHIP TIME

The distinguished acting minority leader indicates to me that he has a requirement for 15 minutes of time which I am most happy to request the Senate to provide, but first I ask unanimous consent that the time remaining to me and the time available to the minority leader under the standing order may be reserved for our use at any time during the course of this calendar day.

The PRESIDING OFFICER (Mr. SPECTER). Without objection, it is so ordered.

## ORDER FOR ADDITIONAL TIME FOR ACTING MINORITY LEADER

Mr. BAKER. Now, Mr. President, I ask unanimous consent that for this day there be 15 minutes of additional time for the acting minority leader to be available immediately after I yield the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ORDER FOR PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, there is not an order for routine morning business today, is that correct?

The PRESIDING OFFICER. That is correct.

Mr. BAKER. Mr. President, I ask unanimous consent that after the recognition of the acting minority leader, pursuant to the order just entered, there then be a period for the transaction of routine morning business to extend no longer than 1 p.m. in which Senators may speak for no more than 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1762

Mr. BAKER. Now, Mr. President, at no later than 1 o'clock today and perhaps earlier, if there is no further requirement for morning business, it is the intention of the leadership on this side to ask the Senate to turn to the consideration of S. 1762, the Comprehensive Crime Control Act of 1983. It is also hoped that we can get the unanimous-consent agreement that I have just described prior to that time.

I anticipate, Mr. President, that the Senate will only have time for opening statements on this matter today, assuming that we get to it, and very limited debate. I would expect the Senate to recess until Monday at about 3 p.m. this afternoon.

ORDER FOR RECESS UNTIL MONDAY, JANUARY 30, 1984

Mr. President, I now ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAKER. May I say in that connection, Mr. President, I wish to repeat the statement I made on Monday, the opening day of the second session of this Congress. Members should not assume that Mondays and Fridays will not be business days. We will be in session during those days and probably will have business to transact and votes on those days as we try to take maximum advantage of the few days that we have available during this legislative session.

So once again, do not assume that Mondays and Fridays are going to be days off. The fact that I do not anticipate votes today should not be thought of as a precedent for the balance of this session. It simply is the best way to arrange the affairs of the Senate in the judgment of the leadership on this side on this particular occasion.

**PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO PRAYER IN PUBLIC BUILDINGS—SENATE JOINT RESOLUTION 218**

Mr. BAKER. Mr. President, today I am introducing a constitutional amendment which would restore the right of individuals to pray in schools and other public buildings. For those who shared my early tenure in the Senate and that of my father-in-law before me, the language that I am proposing today is not new. This bill is identical to the only constitutional amendment on prayer that received the necessary two-thirds support of this body and similar to my father-in-law's proposal which garnered a majority of the Senate at that time.

For those who were not around to witness these earlier events, a short rendition of history might be in order. On October 13, 1970, I offered this language on the floor of the Senate. At that time I stated:

Godliness is not the issue in this debate. The question is whether or not the Constitution or the several amendments to it prohibit the utterance of nondenominational prayers on a voluntary basis in public buildings, including our schools and other public buildings.

The Supreme Court, in its landmark decision of *Engel*, decided in the October term in 1961, held that it did. I believe that it does not. But, being a part of the legislative department of Government, instead of the judicial part of Government, it is not within my province to interpret the Constitution in this respect. That is the purview and the responsibility of the Supreme Court. . . . I agree with the dissent of Justice Potter Stewart, but there is nothing I can do about it under the scope of our system of government except what I am doing now, and that is to offer to the Senate an amendment to the Constitution which is calculated to produce a different jurisdictional result.

Mr. President, I believe that being able to pray in schools is a fundamental right that should be enjoyed by all children. I do not wish to force anyone to hold my religious beliefs or participate in prayer if they choose not to—I only seek to allow those children to pray who wish to. And, Mr. President, I am not alone in this body or this great country in that belief. An overwhelming majority of our citizens support a constitutional amendment reinstating prayer in schools. Indeed, there are relatively more people in my State that support such a proposition than in any other State in the Union. It should be clear, however, that I am not simply trying to appease my constituents so that I might be reelected, but rather to accomplish what the people of this country believe to be a fundamental right that they have lost.

As Senator Dirksen put it during the course of hearings he conducted on the subject:

We have had every sophisticated argument except an argument from the common man of this country, who was defined as one

who works and prays and pays his bills and goes to church, rears his family in decency as law-abiding children. Strange, in all of this, we have not heard from any of those, and we are beginning to hear from him by the millions, and he is going to have his say.

I submit, Mr. President, that nothing since my father-in-law spoke those words has mitigated his observations—in fact, just the opposite.

There are several measures in the Senate dealing with this subject. The President, who reiterated his support for prayer in schools last Wednesday in the state of the Union, has proposed a constitutional amendment that would allow States to administer a program of voluntary school prayer. My colleague from South Carolina (Mr. THURMOND), along with Senators HATCH and GRASSLEY, has introduced a constitutional amendment that would allow States to institute a program of voluntary silent prayer. Both of these measures were reported by the Judiciary Committee earlier this week and are pending on the Senate calendar.

My amendment differs from these proposals in one fundamental way—it restores the right to prayer in schools and would form the basis for action if that right were denied to any individual. The other amendments would essentially leave it up to the States to decide if the children within their boundaries would be allowed to pray in schools. I have little doubt, given the popular support for prayer in schools, that most, if not all, of the States would take advantage of this right. However, Mr. President, I believe that prayer is such a fundamental right of our citizens that I would prefer to guarantee that right to each individual.

I certainly have no quarrel with the President or my colleagues in their initiatives. And it may well be that when I schedule debate on this subject later in this session, one of those propositions will be the vehicle for the debate and the vehicle that we send to the House. It is my hope that one of these constitutional amendments will be passed by both bodies this year and submitted to the States to begin the ratification process.

Mr. President, I ask unanimous consent that this proposed amendment be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

**S.J. RES. 218**

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:*

**"ARTICLE —**

**"SECTION 1.** Nothing contained in this Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through the expenditure of public funds, to participate in nondenominational prayer.

**"SEC. 2.** This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

Mr. BAKER. Mr. President, I believe that concludes the announcements I can make this morning, and I now yield the floor.

**RECOGNITION OF THE ACTING MINORITY LEADER**

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. PROXMIRE. It is my understanding under the agreement just reached by the gracious majority leader that I have 15 minutes, is that correct?

The PRESIDING OFFICER. The Senator is correct.

**WHY THE PRESIDENT DOES NOT DESERVE CREDIT FOR THE LEVEL OF INFLATION**

Mr. PROXMIRE. Mr. President, we have enjoyed a sharp and encouraging fall in inflation in the last 3 years. President Reagan has held office during the past 3 years. What if any connection is there between these two developments? The answer is none. The President, together with the Congress, has had responsibility for spending and taxing policies. The President proposes; the Congress disposes. It is an obvious fact of life that the President—any President—exerts about 75 percent of whatever effective legislative leadership we have in our Government. Congress can turn its back on an ineffective President but except for unusual circumstances we may have seen once or twice in the past 200 years, without Presidential leadership our legislative ship sits dead in the water. Congress more or less accepts the budget recommendations of most Presidents. With President Reagan, it has been more, not less. Mr. Reagan recommended reductions in nonmilitary spending. The Congress followed those recommendations very largely but not to the letter. The President recommended changes in Tax Code. The Congress followed the President's recommendations, chapter and verse. The President recommended increases in military spending, and the Congress reduced the recommended level of increases, but overall it appropriated about the same amount in total spending that the President had recommended.



Now, what was the result of all this? The result of these Presidential/congressional recommendations has been a fiscal disaster, an outrage. There is overwhelming agreement these colossal deficits will increase interest rates. Will they push up prices in the long run? Of course they will. What contribution did these deficits make to bringing inflation under control? The answer is absolutely none. This is an inflationary budget. It is a budget that has the stamp of President Reagan all over it. We deserve full credit or blame for the budget. But did it contribute to the slowdown in the rate of inflation? Obviously, of course not. No possible way. The fact is it is the most inflationary budget any President has ever advocated. The biggest economic accomplishment of the past 5 years has undoubtedly been bringing inflation under control. It is fair to say that it was achieved in spite of, not because of, the policies recommended by the President and adopted by the Congress. Maybe you ask, so what? You point out that inflation has come under control in spite of the big deficit and tens of millions of Americans are grateful to the President. Think of it: He has won a tax cut for the American people. He has built up the Nation's military strength. And whether he had anything to do with it or not, he was President when the rate of inflation fell more sharply than in any peacetime period in the history of our country.

A week or so ago, we had bitter cold here in Washington. Today it is beautiful and balmy outside. I was not here a week ago. I am here today. It is just as grotesque for me to take credit for this beautiful day as for the President to take credit for bringing inflation under control. Of course, if I were to claim credit for the fact that we have a beautiful and balmy day and it is no longer freezing, people would laugh and think I were joking. But the President takes credit for lowering inflation, and people accept it.

And he gets away with it. Certainly, the President cannot be blamed for rising inflation in his term of office. That is true. But it is true because there is an economic lag here. It may be a year or several years before we resume double-digit inflation. But these colossal deficits are sowing the seeds of a potential inflation. And in no way can these Reagan deficits win any credit for the temporary improvement in the inflation picture that we are now enjoying.

In fact, Mr. President, yesterday it was called to my attention that the Office of Management and Budget, the President's own Budget Director, told the Grace Commission to assume that over the next several years, the inflation rate will be 10 percent. That is the administration's estimate, quietly told to the Grace Commission. That

was not released publicly, but it is a fact. So they admit that the inflation is going to be resumed.

It is logical, and I am sure the overwhelming majority of economists have agreed that these deficits are going to be an element in causing that 10 percent or more inflation.

In no way can these Reagan deficits win any credit for the temporary improvement in the inflation picture that we are now enjoying.

In fact it is laughable, a big fat joke, that we could even consider that an administration of a Congress responsible for our biggest deficits could have the monumental brass to claim credit for the fall in the inflation rate. The fact is that the President and the Congress had absolutely nothing, nothing, nothing, nothing to do with the improvement in inflation. In fact, the Federal Government has followed policies that will promote inflation in the future. If we have a serious explosion in inflation beginning in 1985 or 1986, it will be the policies of the Federal Government in the past 3 years that will have to take a big share of the blame for it. Perhaps the administration can take some credit for the pace of the drop in unemployment. Temporary as that is, it is, indeed, partly the fruit of a super stimulative fiscal policy. Certainly if there has been a significant improvement in the strength of our military, the administration can lay claim to it. But inflation? No way!

#### CAN WE VERIFY NUCLEAR EXPLOSIONS UNDERGROUND DOWN BELOW A SINGLE KILOTON?

Mr. PROXMIRE. Mr. President, expert opinion may differ on the critical issue of verifying Soviet nuclear testing. Some experts contend that while we could detect underground nuclear explosions below the present 150-kiloton level provided in the Nuclear Test Ban Treaty, there is some question whether we could detect tests below the 4- or 5-kiloton level.

Detection may depend on the proximity of the detection devices to potential explosion sites. If that is the case, we should simply negotiate with the U.S.S.R. the location of detection sites on the borders or, if necessary, inside the borders of the Soviet Union as well as the United States. Those detection sites could be manned by rotating groups of international monitors with sufficient balance in each inspection team so that both the United States and the Soviets could have vigorous representation. We should also press hard for unannounced on-the-spot inspection to follow up any indication of nuclear explosions.

Yes, indeed, such negotiations would be difficult, maybe impossible. Here is why: The Soviet Union is a closed soci-

ety. They have refused to permit travel within their country even for their own citizens. The power of the ruling Communist elite in Russia depends on that elite maintaining control of travel and especially of intelligence of any kind, but especially about Soviet nuclear weapon activity. So why would they be willing to surrender such vital intelligence? The answer is that for both the United States and the Soviet Union, a treaty stopping the arms race is essential. In effect, it would guarantee that both countries remain the exclusive superpowers on Earth. That is not a bad motivation for the Soviet Union to agree to ending the arms race.

Even more important, it would greatly increase the chance of both countries surviving at all. This country has had many of its citizens and some of its leading officials deeply concerned about nuclear proliferation. Unfortunately, we have not been able to win sufficient support to this cause. We have not been able to place our country squarely and firmly on the side of stopping nuclear proliferation at any cost. In my judgment, that is a tragedy. Our Government itself has been blithely and carelessly scattering nuclear weapons materials and equipment about the world like a New Year's Eve drunk tossing away \$20 bills. We have been providing nuclear materials and equipment as well as know-how to South Africa, to Argentina, to Brazil, to India, and to Pakistan, as well as to other countries. Has the Soviet Union done likewise? No. They have not permitted the export of any materials, equipment, or know-how that could be used to produce weapons. In part, this may be because the Soviet state controls every aspect of all production including nuclear production. They do not have the same profit motive, certainly not the profit motive that drives our defense contractors and motivates them to seek markets in other countries for the nuclear weapons they produce for our Government. But it is more than that, much more.

The Soviet Union holds its sway over many other Communist countries, except China, exactly because it does have the monopoly control of nuclear weapons, except for China. No small part of the Soviet's ability to intimidate a Poland, or a Hungary is the fact that the U.S.S.R. has the bomb and especially that the countries they dominate do not. Indeed, the Soviet's domination of Eastern Europe could vanish like a mist on a sunny morning if Eastern European countries had the kind of atomic arsenal that the United Kingdom and France possess.

So the Soviets have a special interest in stopping an arms race that could lead to the dissemination of small nuclear weapons and especially of cheap

nuclear weapons throughout the world. Of course, if the dissemination of small nuclear weapons would simply end the Communist domination of Eastern Europe and stop there, we could make a case for nuclear proliferation. Unfortunately, the proliferation of nuclear weapons will lead without question to a small-scale nuclear war which no one, in all likelihood, could end until it became a major nuclear war. Certainly terrorists would acquire such weapons. Certainly no city would be safe. Indeed, no human being would be safe. The hit man would have the supreme power. Retaliation would be impossible.

Unfortunately, hatred and desire for revenge are common human traits. We keep them in check with a law enforcement system that, however clumsily or long delayed, often brings punishment to the criminal. But once the terrorist acquires nuclear devices, he would have a new impregnability. Life on this Earth would be perilously close to an end in a wide variety of ways. Generations have had missions and responsibilities before. But never has any generation had a more vital responsibility than ours to stop the testing that lies at the heart of the technological nuclear arms race.

#### ELIE WIESEL: A DESERVING CANDIDATE FOR THE NOBEL PEACE PRIZE

Mr. PROXMIER. Mr. President, earlier this week, it was my pleasure to join the senior Senator from New York in nominating Mr. Elie Wiesel for the 1984 Nobel Peace Prize.

This remarkable man has devoted his life to the cause for peace as a witness to the inhumanity of the world's most devastating war. Wiesel personifies the German concentration camp experience, reminding all races and peoples of the recent horrors of the Holocaust, and the prospects of genocide happening again.

In his million-selling memoir "Night," Wiesel writes:

Never shall I forget that night, the first night in camp, which has turned my life into one long night, seven times cursed and seven times sealed. . . . Never shall I forget those flames which consumed my faith forever. Never shall I forget that nocturnal silence which deprived me, for all eternity, of the desire to live.

But we learn not only of Holocaust atrocities from this survivor of anguish and agony, we also learn of singing and dancing in the face of heartache. We learn of the triumph of survival. We learn of the sacredness of human life. And we learn of the universal hope of peace.

In addition to having written over two dozen books, Wiesel chairs the U.S. Holocaust Memorial Council and has conducted a New York lecture series for 17 years.

He is an avid spokesman for peace, speaking out against the insanity of the nuclear arms race and against human rights violations around the globe. In addition, he has been an important voice of conscience for a world too prone to thoughtless and hasty action.

In a recent article on Wiesel in the New York Times magazine, David Halivni, a professor of religion at Columbia University illustrates this point:

Since the Holocaust, we're convinced the universe is not the same. There is a blemish on creation and that blemish may lie dormant, but who knows when it will erupt and devour us? There is a crack in the earth hasn't healed. That notion sets survivors apart. And Elie gives it expression in literature.

The most important lesson Wiesel teaches us through his holocaust experience is that genocide is the most horrible crime committed against humanity, and that it must be guarded against in the future.

We have a chance to do our part by ratifying the Genocide Convention. We must make this heinous crime illegal under international law by putting the force of the United States behind it. We must add to the contributions of Elie Wiesel, a most deserving candidate for the Noble Peace Prize, by stating we will not tolerate any future crimes against humanity. Let us move promptly to ratify the Genocide Convention.

#### APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 98-162, appoints the following Senators to the Commission on the Eleanor Roosevelt Centennial: the Senator from New York (Mr. D'AMATO) and the Senator from New York (Mr. MOYNIHAN).

#### ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business not to extend beyond 1 p.m., with statements therein limited to 5 minutes each.

#### ADDRESS BY SENATOR THURMOND ON FOREIGN POLICY

Mr. BAKER. Mr. President, our distinguished colleague from South Carolina and the Senate's President pro tempore, Mr. THURMOND, recently made a major foreign policy address to the student body of Presbyterian College in his home State.

The address focused on the U.S. missile deployments in Western Europe, the spread of Communist insurrection in the Caribbean and Central America, and the conflict in Lebanon.

The importance and currency of Senator THURMOND's address makes it deserving of thoughtful attention by all Senators and other readers of the CONGRESSIONAL RECORD. I, therefore, ask unanimous consent that a copy of this address be included in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

#### ADDRESS BY SENATOR STROM THURMOND

President Orr, Faculty, Students, Ladies and Gentlemen:

It is a great pleasure for me to be with you today on the beautiful campus of Presbyterian College. I always look forward to an opportunity to address future leaders of America, especially when the students have such a fine reputation for excellence as do those at P.C. I am proud to have been the recipient of an honorary Doctor of Laws degree from your fine institution in 1960 and feel a close bond of kinship with you.

This morning I want to discuss with you briefly three important foreign policy issues on which public attention is currently focused. These issues are the United States missile deployments in Western Europe, the spread of Communist insurrection in the Caribbean and Central America, and the conflict in Lebanon.

It has always been my belief that the first and most important responsibility of our Federal Government is the maintenance of a national defense sufficient to safeguard our precious freedom and to help keep the peace in areas of the world vital to our interests. In this regard, certainly there is no area of the world more important to our Nation than Western Europe, our largest trading partner and with whom we share a common heritage and love for freedom.

There are many Americans and Western Europeans who have serious misconceptions about the current program to deploy a total of 108 U.S. Pershing II ballistic missile launchers in West Germany and 464 U.S. ground-launched cruise missiles in five European countries. The Soviets and some well-intentioned, but nonetheless misinformed, West Europeans and Americans would have us believe that the United States is somehow forcing Europe to accept weapons which are both unnecessary and which will increase the likelihood of a nuclear war. The reality is very much to the contrary. These weapons are necessary as a deterrent, are being deployed at the specific request of our NATO allies, and will not increase the threat of nuclear war.

No informed person may dispute the fact that the U.S.S.R. presently enjoys clear cut conventional military superiority over the Atlantic Alliance. The Warsaw Pact has almost twice as many men in uniform as does NATO. They have twice as many ground force divisions, more than three times the number of main battle tanks and artillery, and almost six times as many fighter interceptors. Few dispute the widely held belief that Western Europe, if attacked, would be in danger of being quickly overcome by the conventional military might of the Soviets and Warsaw Pact members.

The best military minds agree that it has been the nuclear force of the United States and NATO which has thus far deterred the Soviets from exercising the military option against Western Europe. In 1978 the Soviet Union initiated a theater nuclear force mod-



ernization program which, if it is allowed to continue unchallenged, threatens the effectiveness of our deterrence. The most significant Soviet development has been the deployment of the SS-20 missile, with its three independent warheads.

Today, the Soviet Union possesses an intermediate nuclear force of over 200 SS-4 and SS-5 launchers and more than 300 mobile SS-20's, with a combined initial delivery capability of some 1,200 nuclear warheads. Of the total number of launchers, more than two-thirds are presently located within range of NATO.

Clearly, it is the Soviets, and not the United States and our NATO allies, who are seeking to destabilize the military balance in Western Europe. Without our new Pershing and cruise missiles, NATO will most assuredly relinquish its only viable measure of defense. Strength, not weakness, will guarantee peace. Until the Soviets are willing to sit down at the negotiating table and talk seriously about a reduction of their ominous missile threat to Western Europe, we have no viable, realistic choice but to proceed with the planned deployment of our missiles within the NATO defense system.

One of the greatest gifts we could give to our children and to future generations is a world free of the nightmare of nuclear war. No one yearns more than I for a world dedicated to the pursuit of humanitarian goals rather than mass destruction. The money we spend on weapons of war could be used to cure diseases, alleviate famine, educate our children, and improve our cities.

There should be no mistake about who truly seeks peace. The efforts of the Reagan Administration in arms reduction talks show conclusively that we are ready to begin the long, arduous process of disarming our nuclear arsenals and committing our efforts instead to prosperity for us and the rest of the world. We are waiting for the Soviets to join in this effort.

The Soviets, however, continue to pursue a policy of expansionism and world domination. The Soviet Union alone has close to 125,000 military advisory personnel stationed throughout the globe. Soviet military presence is evident in at least three Latin American countries, eleven Central and Southern African countries, five Mideast and North African countries, and three Asian countries. The Soviet subjugation of Afghanistan also continues to be pursued.

#### CENTRAL AMERICA

The spread of Communist insurrection in the Western Hemisphere should be of grave concern to the United States. Few people realize that Nicaragua and El Salvador are closer to Texas and Florida than those two states are to New York. The Reagan Administration remains dedicated to promoting democratic forms of government and fostering the social and economic betterment of the people in the Caribbean and Central America.

That was one of the primary reasons for the October 1983 rescue mission in Grenada. American Armed Forces entered Grenada because the island was without a government. Two successive Communist-linked, Cuban-supported military coups had replaced a democratic government and jeopardized the lives of about 1,000 American citizens. Today, the United States is not suffering from the humiliation of another Iranian-type hostage situation in Grenada because our President was willing, when it proved absolutely necessary, to act quickly and appropriately to protect American citizens and interests.

Critics of the Reagan Administration state that the United States influence in Central and Latin America has prevented democratic development and that the spread of Marxist/Leninist regimes is part of the unavoidable tide of history. The fact is that the trend toward democracy has continued in that part of the world to our South. Among the 32 independent states of Latin America and the Caribbean, 17 are now democratic. Since 1978, at least five countries have made a peaceful transition from military regimes to elected democratic governments. Argentina provides the latest example.

Critics charge that current U.S. policies are weighted too much toward a military solution of the problems of Central America. The facts are that the Soviets are giving 10 times as much military assistance to Cuba and Nicaragua as we are providing to all of Latin America. Three out of four dollars the Reagan Administration has sought for El Salvador have been for economic aid. Clearly, the failure of the Communist-backed insurgents in El Salvador to lay down their arms and participate in free and open elections shows that it is they who are determined to pursue a military course, just as the Sandinistas were determined to pursue in Nicaragua. Nevertheless, we continue to use every reasonable means available to encourage a peaceful resolution that will allow the people of El Salvador to control their own destiny.

I firmly believe that our governmental leaders have an obligation to educate the American people on the threat posed by the Soviet Union, Cuba, and Nicaragua. These countries are determined to develop military superiority in the region and to promote terrorism and insurrection.

Americans cannot ignore the pleas for help from nations under siege. We are a global power and have global responsibilities. Whether it be Grenada, El Salvador, or Lebanon, we must not shirk from our duty to assist those nations which request our aid in the fight for freedom, especially when it is clearly in our own best interests to offer such assistance.

#### LEBANON

Lebanon, a country plagued by war for many years, craves peace. It is only natural that the Lebanese would turn to the United States for help. The United States has been a peacemaker in the Middle East for many years. We helped negotiate the disengagement agreements between Egypt and Israel, as well as the 1974 agreement between Israel and Syria. Our country was and remains a mediator in the agreement between Israel and Lebanon.

Our current policy in Lebanon is aimed at helping the Lebanese to save their country as a free and independent State. Our purpose in participating in the Multinational Peacekeeping Force is to assist the Lebanese Government in extending its sovereign authority throughout the country, with the withdrawal of all foreign forces. A stable, democratic Lebanon, free of foreign forces, is vital not only to Israel and the moderate Arab states, but to our own security and that of the other industrialized democracies as well.

There are, to be sure, inherent dangers in playing the role of peacemaker. Two hundred and fifty eight Americans have paid the supreme price for a reunited Lebanon. I fervently hope and pray that those Americans who have lost their lives for Lebanon are the last to do so.

Some of my colleagues in Congress are now calling for an immediate American withdrawal from the Multinational Peacekeeping Force. While I obviously share a desire for our Marines to return home as soon as possible, we must not forget the purpose for which they have served as members of the Multinational Force. Nor can we ignore the message of encouragement which a unilateral withdrawal would send to terrorists, the Syrians (who have countenanced terrorist attacks from behind their lines), and the Soviets (who are supplying the Syrians with arms). Moreover, I have always believed that the President of the United States, regardless of his party affiliation, should be given broad latitude in conducting a unified international policy for the government and citizens of this great nation. If we project the image of being weak and divided at home, then our foreign policies have little chance of succeeding abroad. It is just that simple.

I am hopeful that our servicemen will be able to return home soon. However, now is not the time to undermine the President and our negotiators in the Middle East by withdrawing support for our policy toward Lebanon. We must prove to the proponents of radicalism throughout the world that the quest for a comprehensive and just peace will not be abandoned because of attacks on those seeking to promote peace, and we must pursue the goal of peace in the Middle East with renewed vigor.

#### CONCLUSION

In conclusion, let me state that I fully realize that the issues of foreign policy and military preparedness are often matters of controversy about which reasonable people can differ. Certainly there is no better forum for debate and discussion concerning important issues of the day than the college environment.

As the debate proceeds, however, we must not lose sight of the great common bond, hopes, and aspirations which all of us share as Americans. We yearn for peace, freedom, security, and opportunity, and we wish other peoples of the world to enjoy these same precious values.

I believe that, for the most part, the foreign policy course which President Reagan and our government have set out is in the best interests of our Nation. It is a foreign policy course which works to reestablish an effective military deterrent, ultimately reduce the threat of nuclear war, actively counter terrorism and insurrection, and promote world peace. With your interest and support, not only the future of our Country, but of all mankind will indeed be bright.

Thank you for the opportunity to speak with you today. May God bless each of you.

#### GSA INTENTION TO SELL MONTAUK AIR FORCE BASE

Mr. MOYNIHAN. Mr. President, I should like to address a matter of very great concern to the people of the State of New York, and, I dare think, to the people of the United States. That is the intention, incredible as it may seem, of the General Services Administration to sell at public auction the Montauk Air Force Base at the eastern tip of Long Island, abutting the Montauk Lighthouse, which is one of the most prominent and well-known landmarks of our Nation.

Mr. President, in spite of extraordinary efforts by Congress to encourage the General Services Administration to give surplus property to State and local governments for public purposes, the GSA refuses. In spite of legislation I have introduced to direct that it be done, the GSA refuses.

The New York State Office of Parks and Recreation offered to give to the National Park Service a portion of Fire Island, that long reef that extends out to Montauk on the Atlantic side of Long Island which the Park Service wants. There is a gap in the National Park on Fire Island. It is one of the few National Parks we have, the only of any size. That property is probably worth at market price three times the value of Montauk.

All we are saying is we will give to the Federal Government this piece of land we own if you will give us the piece of land you own, which is adjacent to a State park. We have a State park, a national park. It is sensible, good government. But not sensible to the GSA, which seems in this matter to have lost its senses.

More important, Mr. President, I state with great caution but genuine concern there is an issue of possible fraud in the brochure that the General Services Administration has sent out in the thousands for the sale of this property.

It says "Montauk Air Force Station, town of East Hampton, Suffolk County, N.Y., Public Auction, 11 a.m. in room 112, 26 Federal Plaza, New York, N.Y., on February 8, 1984."

Mr. President, this Congress has gone to some lengths to enact truth-in-advertising statutes for the private sector. This is an advertisement, an advertisement of a sale and I say to you there is a pronounced and altogether unacceptable misstatement of fact in this brochure.

It states, according to information provided by the town of East Hampton, the property lies in an area zoned for single-family detached residential use with a minimum lot size of 2 acres. In other words, this is a valuable developers prize, the most prominent land in the United States for sale, 2-acre lots, half-million dollar homes, lots of money to be made, excepting it is not true.

I know the distinguished Presiding Officer has the greatest concern in our dealings in the committee, which we share, with the General Services Administration and their shocking mismanagement of public buildings policy and often now, it turns out, of public properties, but we have not yet found them misrepresenting the facts. The fact is, Mr. President, that the town of East Hampton under the leadership of Councilman Tony Bullock, and others, have some time ago rezoned this property to the standard of a park and conservation district.

You may not put up a gazebo on this property. It is for park and for conservation.

And the GSA is proposing to sell it as if it could be developed to family housing.

Mr. President, there really does arise a question of integrity here.

Mr. President, I ask unanimous consent to have printed in the RECORD this brochure announcing the sale and the description from the statutes of the town of East Hampton of a park and conservation district.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### [GSA]

#### PUBLIC AUCTION OF GOVERNMENT PROPERTY MONTAUK AIR FORCE STATION, TOWN OF EAST HAMPTON, SUFFOLK COUNTY, N.Y.

A public auction will be conducted at 11:00 a.m. in Room 112, 26 Federal Plaza, New York, New York on February 8, 1984.

Only the highest bid received at the auction will be considered for award.

This Invitation for Bids is issued subject to, and bids submitted pursuant to this Invitation for Bids must be in compliance with and subject to, the provisions of this Invitation for Bids, including the Schedule portion thereof, and (1) the General Terms of Sale; (2) the Instructions to Bidders and (3) the Provisions of the Bid Form and Acceptance, all of which are attached to this Invitation for Bids and by this reference made part thereof.

Prospective bidders are urged to inspect the property before submitting an offer. The property may be inspected on work days by appointment made 24 hours in advance. Arrangements may be made by contacting the caretaker at the site at 516-668-2321, the New York Field Office, Disposal Division, Office of Public Buildings and Real Property, General Services Administration at 212-264-2650, or the Boston Regional Office, Disposal Division, Office of Public Buildings and Real Property at 617-223-2651.

[For Sale: Public Auction—Government Real Property—Invitation number GS-01-DR-E-4-0108—Name of property, Montauk Air Force Station—Location, Town of East Hampton, Suffolk County, N.Y., Consisting of Approximately 278.86 acres of fee land and Improvements, as described in the attached invitation for bids]

Date: February 8, 1984; Time: 11 a.m. local time; Location: Room 112, 26 Federal Plaza, New York, N.Y.

PUBLIC AUCTION, INVITATION FOR BIDS, BID AND ACCEPTANCE FOR SALE OF GOVERNMENT PROPERTY—INVITATION No.: GS-01-DR-E-4-0108

#### SCHEDULE

##### Location and description

The property offered for sale consists of an irregularly-shaped parcel of fee land comprised of approximately 277.81 acres at the Main Station and 1.05 acres of the adjoining Housing Area. Improvements consist of 61 buildings containing 163,011 square feet of space in aggregate, including 23,914 square feet of dormitory space and 2,194 square feet of administrative space. The property is also improved with an electric generating plant, central overhead steam heating plant, wells, water treatment plant, sewage treatment plant, roads, walkways,

fencing, utility distribution systems, and other miscellaneous facilities. About ⅓ of the site has been developed and intensively used while the remaining ⅔ of the property is covered with dense foliage and trees.

The property lies along the south side of Montauk Highway and north of Old Montauk Highway, in the Village of Montauk, the last incorporated village on the south fork of Long Island. Montauk is situated in the Town of East Hampton, about 106 miles from New York City. The Station lies roughly 500 feet from the shore of the Atlantic Ocean and is separated from it by New York State parkland.

According to information provided by the Town of East Hampton, the property lies in an area zoned for single-family detached residential use with minimum lot size of two acres. This information is furnished pursuant to Section 803 of the Federal Property and Administrative Services Act of 1949, as amended. The Government does not guarantee that this zoning information is necessarily accurate or will remain unchanged. Any inaccuracies or changes in the above zoning information shall not be cause for the adjustment or rescission of any contract resulting from this Invitation for Bids or Sales Agreement. Verification of the present zoning of the property and determination of the permitted uses thereunder, along with the conformance of the property therewith for present or any proposed future use, shall be the responsibility of the bidder. Bidders are urged to contact appropriate Town of East Hampton officials to obtain information on present zoning or any contemplated changes in zoning.

#### Utilities

Utilities were supplied by the Station's self-contained infra-structure. Potable water was provided by on-site wells which suffer from intermittent salt intrusion. In addition to a water distribution system, the Station possesses storage capacity of 150,000 gallons of water and a back-up supply of 5,000 gallons in the water treatment plant. The sewage system is a secondary treatment facility consisting of a scum pit, clarifying trickle filter, pump pit and chlorine detention chamber. The resulting wet sludge was pumped through a pipeline with an Atlantic Ocean outfall. Electricity can be obtained from the Station's electric power station which includes four generators or from the Long Island Lighting Company. Telephone service is supplied by the New York Telephone Company.

The Government makes no representation or guarantee that existing utility systems are in a condition to be used for the purposes intended. Procurement of utility service is the responsibility of the successful bidder.

Small portions of the property have been designated as wetlands by the Department of the Interior. Consequently, use of the property will be subject to Federal, State and local regulations regarding wetlands, including but not limited to the Federal Clean Water Act, the State of New York Freshwater Wetlands Act and Protection of Water Laws Act, and the Town of East Hampton Zoning Ordinance.

Since the property lies within the coastal zone as defined by New York State, use of the property will also be governed by the Coastal Zone Management Act of 1972, and the New York State Coastal Management Program.



**Montauk Air Force Station Schedule  
Metes and Bounds Description  
Parcel No. 1 (Main Station)**

All that tract or parcel of land situated in the Town of East Hampton, County of Suffolk, State of New York, and more particularly described as follows:

Beginning at a New York State monument at coordinates N 313.417.161, E 2,583,590.997 in the Long Island Lambert coordinate system; proceeding thence N 52° 39' 29" E 720.79 feet to a New York State monument; thence northeasterly along a curve to the right 620.095 feet to a point; thence along the boundary of the Family Housing Area the following nine (9) courses: (1) S 03° 46' 36" E, 506.10 feet along the easterly line of the access road right-of-way to a point; (2) S 03° 04' 09" W, still along said line, 387.06 feet to a point; (3) N 59° 50' 49" E, 438.53 feet to a point; (4) N 49° 53' 20" E, 228.16 feet to a point; (5) N 68° 31' 22" E, 1099.33 feet to a point; (6) N 01° 21' 19" E, 317.09 feet to a point; (7) N 47° 00' 29" E, 242.85 feet to a point; (8) N 12° 24' 38" E, 229.45 feet to a point; (9) N 25° 06' 00" W, 74.97 feet to a point; thence northeasterly along a curve to the right 300.92 feet to a New York State monument; thence N 76° 42' 56" E, 592.66 feet to a ¾-inch pipe; thence S 14° 27' 54" W, 257.53 feet to a ¾-inch pipe; thence southeasterly along a curve to the left 201.999 feet to a point; thence southeasterly along a curve to the left 118.665 feet to a point; thence S 89° 25' 40" E, 386.84 feet to a ¾-inch pipe; thence S 87° 09' 57" E, 190.31 feet to a monument; thence S 80° 03' 07" E, 203.39 feet to a monument; thence southeasterly along a curve to the left 141.438 feet to a point; thence N 89° 22' 22" E, 147.29 feet to a monument; then southeasterly along a curve to the right 189.159 feet to a point; thence S 45° 24' 07" E, 204.26 feet to a point; thence S 64° 18' 09" W, 210.51 feet to a point; S 77° 01' 59" W, 66.03 feet to a point; thence S 35° 32' 22" W, 259.35 feet to a point; thence S 04° 58' 15" E, 57.22 feet to a point; thence S 28° 08' 11" E, 63.53 feet to a point; thence S 29° 42' 00" E, 215.60 feet to a monument; thence S 27° 15' 10" E, 374.70 feet to a monument; thence along the northerly line of the Old Montauk Highway right-of-way the following twenty-seven courses: (1) S 61° 34' 12" W, 257.77 feet to a monument; (2) S 53° 01' 02" W, 129.07 feet to a monument; (3) S 39° 34' 00" W, 82.44 feet to a stake; (4) S 06° 09' 28" E, 126.49 feet to a stake; (5) S 37° 20' 48" W, 172.47 feet to a stake; (6) S 20° 54' 35" W, 261.96 feet to a stake; (7) S 46° 26' 28" W, 386.62 feet to a stake; (8) S 65° 59' 52" W, 286.11 feet to a stake; (9) S 44° 15' 25" W, 206.78 feet to a pipe in concrete; (10) S 49° 50' 42" W, 176.47 feet to a stake; (11) S 66° 18' 31" W, 146.98 feet to a stake; (12) S 74° 26' 00" W, 134.78 feet to a stake; (13) N 81° 57' 36" W, 153.96 feet to a stake; (14) S 73° 20' 21" W, 170.01 feet to a stake; (15) S 89° 32' 29" W, 200.93 feet to a stake; (16) S 80° 49' 02" W, 111.08 feet to a ½-inch pipe; (17) S 52° 08' 28" W, 97.89 feet to a stake; (18) S 70° 00' 08" W, 70.57 feet to a stake; (19) S 80° 50' 42" W, 165.21 feet to a stake; (20) S 36° 48' 22" W, 75.01 feet to a stake; (21) S 23° 36' 36" W, 51.23 feet to a stake; (22) S 09° 11' 11" W, 238.94 feet to a stake; (23) S 00° 50' 04" W, 45.85 feet to a stake; (24) S 09° 24' 33" E, 227.38 feet to a stake; (25) S 07° 11' 08" E, 46.95 feet to a stake; (26) S 38° 47' 58" W, 61.06 feet to a stake; (27) S 77° 21' 35" W, 80.49 feet to a ½-inch pipe; thence N 39° 34' 53" W, 2597.2182 feet to a point; thence N 50° 24' 11" E, 400.00 feet to a stake; thence N 39° 35' 23" W, 1441.22 feet to the point of beginning.

Containing 281.85 acres, more or less.

**Parcel No. 2 (Portion of Tract "F")**

All that tract or parcel of land situate in the Town of East Hampton, County of Suffolk, State of New York, and more particularly described as follows:

Beginning at Corner No. 1, a point on the southerly side of the right-of-way of Old Montauk Highway; thence N 64° 51' 23" E along the southerly side of the right-of-way of Old Montauk Highway 50.52 feet; thence S 16° 53' 25" E, 110.88 feet; thence S 73° 06' 35" W, 150.00 feet; thence N 16° 53' 25" W, 110.88 feet; thence N 81° 21' 47" E along the southerly side of the right-of-way of Old Montauk Highway 75.78 feet; thence N 64° 51' 23" E along the southerly side of the right-of-way of Old Montauk Highway 25.26 feet to Corner 1 or point of beginning.

Containing 0.35 of an acre, more or less.

**Parcel No. 4 (Sewage Outfall Easement)**

All that tract or parcel of land situate in the Town of East Hampton, County of Suffolk, State of New York, and more particularly described as follows:

Beginning at a point in the centerline of the right-of-way of Old Montauk Highway known as Point C having coordinate values of N 312,110.24 and E 2,588,342.95 in the Long Island Lambert System as established by the Coast and Geodetic Survey in this area and shown on Map File FNY 19 dated April 1941 thence S 25° 00' 00" E, 40.70 feet to a point (cor. 1) on the southerly side of the right-of-way of Old Montauk Highway, said point being the point of beginning; running thence east along the southerly side of the right-of-way of said highway along a curve to the right 90.08 feet having a radius of 855.12 feet, thence east along the southerly side of the right-of-way of said highway along a curve to the right 56.99 feet, having a radius of 855.12 feet, thence east along the southerly side of said highway along a curve to the right 82.13 feet, having a radius of 855.12 feet, thence S 25° 00' 00" E, 238 feet to the shore of the Atlantic Ocean, thence running 216 feet, more or less, along the MHW line of the Atlantic Ocean, thence N 25° 00' 00" W, 211.30 feet to Corner 1.

Containing 1.6 acres, more or less.

Reserving to the U.S. Coast Guard the right to review and approve any new construction within a radius of one thousand (1,000) feet, and use of existing structures or buildings within four hundred (400) feet from a point whose coordinate values are N 313, 673 and E 2, 589, 795 and a point whose coordinate values are N 313, 960 and E 2, 589, 707 and a point whose coordinate values are N 313, 745 and E 2, 589, 530, that may effect the radiation pattern, radiated power, or result in increased receive noise.

Deleting there from, Parcel A, described as follows:

All that certain part, piece or parcel of land lying, being and situate at Montauk Point, Town of East Hampton, County of Suffolk and State of New York.

And being, more particularly, bounded and described as follows:

Beginning at a point on the division line between Land of the United States Government (Montauk A.F.S.) and the Housing Areas Site (Montauk A.F.S.), said Point of Beginning being distant the following four (4) courses and distances from a point on the southerly side of Montauk Point State Boulevard (N.Y.S. Route 27) where the same is intersected by the division line between Land of the United States Government (Montauk A.F.S.) and Land of Montauk Point State Park:

(1) South 76° 42' 56" West, 592.66 feet.

(2) Along the arc of a curve bearing to the right, having a radius of 2,714.93 feet, a distance of 300.92 feet.

(3) South 25° 06' 00" East, 74.97 feet.

(4) South 12° 24' 38" West, 229.45 feet.

Running thence from said Point of Beginning southerly and westerly, within Land of the United States Government (Montauk A.F.S.), the following three (3) courses and distances:

(1) South 12° 24' 38" West, 631.58 feet.

(2) South 71° 12' 54" West, 1,286.45 feet.

(3) North 86° 22' 43" West, 25.88 feet to a point.

Running thence easterly and northerly, along the division line between Land of the United States Government (Montauk A.F.S.), and the Housing Area Site (Montauk A.F.S.), the following four (4) courses and distances:

(1) North 49° 53' 20" East, 224.06.

(2) North 68° 31' 22" East, 1,099.33 feet.

(3) North 1° 21' 19" East, 317.09 feet.

(4) North 47° 00' 29" East, 242.85 feet to the Point or Place of Beginning.

Containing Within Said Bounds 4.390 Acres.

Conveyance of the property listed in this schedule is subject to a permanent access easement granted to the Town of East Hampton and described as follows:

All that certain part, piece or parcel of land lying, being and situate at Montauk Point, Town of East Hampton, County of Suffolk and State of New York.

Being, more particularly, bounded and described as follows:

Beginning at a point on the division line between Land of the United States Government (Montauk A.F.S.) and the Housing Area Site (Montauk A.F.S.), said Point of Beginning being distant the following six (6) courses and distances from a point on the southerly side of Montauk Point State Boulevard (N.Y.S. Route 27) where the same is intersected by the division line between Land of the United States Government (Montauk A.F.S.) and Land of Montauk Point State Park:

(1) South 76° 42' 56" West, 592.66 feet.

(2) Along the arc of a curve bearing to the right, having a radius of 2,714.93 feet, a distance of 300.92 feet.

(3) South 25° 06' 00" East, 74.97 feet.

(4) South 12° 24' 38" West, 861.03 feet.

(5) South 71° 12' 54" West, 1,286.45 feet.

(6) North 86° 22' 43" West, 448.63 feet.

Running thence from said Point of Beginning northerly, within Land of the United States Government (Montauk A.F.S.), the following three (3) courses and distances:

(1) North 3° 37' 17" East, 84.00 feet.

(2) Along the arc of a curve bearing to the left, having a radius of 800.00 feet, a distance of 107.50 feet.

(3) North 4° 04' 39" West, 441.48 feet to the southerly side of Montauk Point State Boulevard (N.Y.S. Route 27).

Running thence easterly, along said southerly side of Montauk Point State Boulevard (N.Y.S. Route 27), along the arc of a curve bearing to the right, having a radius of 1,283.267 feet, a distance of 54.46 feet to a point.

Running thence southerly, along the division line between Land of the United States Government (Montauk A.F.S.) and the Housing Area Site (Montauk A.F.S.), the following two (2) courses and distances:

(1) South 3° 46' 36" East, 506.10 feet.

(2) South 3° 04' 09" West, 140.42 feet to a point.

Running thence westerly, within Land of the United States Government (Montauk A.F.S.), North 86°22'43" West, 52.89 feet to the Point or Place of Beginning.

Containing Within Said Bounds 0.775 Acres.

Conveying further—the remaining portion of Housing Area, Montauk Air Force Station.

All that certain part, piece or parcel of land lying, being and situate at Montauk Point, Town of East Hampton, County of Suffolk and State of New York.

Being, more particularly, bounded and described as follows:

Beginning at a point on the division line between Land of the United States Government (Montauk A.F.S.) and the Housing Area Site (Montauk A.F.S.), said Point of Beginning being distant the following six (6) courses and distances from a point on the southerly side of Montauk Point State Boulevard (N.Y.S. Route 27) where the same is intersected by the division line between Land of the United States Government (Montauk A.F.S.) and Land of Montauk Point State Park:

(1) South 76°42'56" West, 592.66 feet.

(2) Along the arc of a curve bearing to the right, having a radius of 2,714.93 feet, a distance of 300.92 feet.

(3) South 25°06'00" East, 74.97 feet.

(4) South 12°24'38" West, 861.03 feet.

(5) South 71°12'54" West, 1,286.45 feet.

(6) North 86°22'43" West, 25.88 feet.

Running thence from said Point of Beginning southerly, along the division line between Land of the United States Government (Montauk A.F.S.) and the Housing Area Site (Montauk A.F.S.), the following two courses and distances:

(1) South 49°53'20" West, 4.11 feet.

(2) South 59°50'49" West, 438.53 to a point.

Running thence northerly, along the division line between Land of the United States Government (Montauk A.F.S.) and the Housing Area Site (Montauk A.F.S.), North 3°04'09" East, 246.64 feet to a point;

Running thence easterly, South 86°22'43" East, 369.86 feet to the Point of Place of Beginning.

Containing Within Said Bounds 1.051 Acres.

The entire property described in this schedule is offered for sale together with the appurtenances and improvements thereon and all the estate and rights of the Grantor in and to said premises.

The sale and conveyance of the entire property offered for sale shall be made subject to the following:

1. Subject to existing easements for public roads and utilities, railroad and pipelines, shown and/or not shown of record.

2. Subject to any state of facts that may be disclosed by a physical examination of the property.

3. Subject to any state of facts that an accurate and adequate survey of the premises may disclose.

4. Subject to all Federal, State and local regulations regarding wetlands.

#### GENERAL TERMS OF SALE, PUBLIC AUCTION

##### 1. TERM—"INVITATION FOR BIDS"

The term "Invitation for Bids" as used herein refers to the foregoing Invitation for Bids, and its schedule; the Instructions to Bidders; the general terms of sale set forth herein; and the provisions of the Bid Form, and Acceptance; all as may be modified and supplemented by any addenda that may be issued prior to the time fixed in the Invitation for Bids for the Auction.

##### 2. DESCRIPTION IN INVITATION FOR BIDS

The descriptions of the property set forth in the Invitation for Bids are believed to be correct, but any error or omission shall not constitute grounds or reason for nonperformance of the contract of sale or claim by purchaser for allowance, refund, or deduction from the purchase price.

##### 3. CONDITION OF PROPERTY

The property is offered for sale and will be sold "As Is" and "Where Is" without representation, warranty, or guaranty as to quantity, quality, character, condition, size, or kind, or that the same is in condition or fit to be used for the purpose for which intended, and no claim for any allowance or deduction upon such grounds will be considered after the auction.

##### 4. CONTINUING OFFERS

The high bid received shall be deemed to be a continuing offer after the date of the auction for 90 calendar days, unless the bid is accepted or rejected by the Government before the expiration of the specified number of calendar days. If the Government desires to accept a bid after the expiration of the specified number of calendar days, the consent of the bidder shall be obtained prior to such expiration.

##### 5. TERMS

a. Upon acceptance by the Government, said acceptance to be subject to antitrust and credit clearances as specified in the General Terms of Sale, the successful bidder agrees to deposit 10% of the bid price as an earnest money deposit. The said 10% earnest money deposit shall be in the form of certified or cashier's checks, and shall be paid to the General Services Administration within 10 calendar days of the Government's conditional acceptance of the offer to purchase. At the time of sales closing, all monies paid by the purchaser will be credited, without interest, toward the total purchase price or down payment if a credit sale is authorized.

b. Bids to purchase the property may be for cash or on credit. In the event a credit sale is proposed, an extension of credit will be on the following terms:

(1) A cash down payment of not less than 25% of the purchase price, with a balloon note payment of the balance of the purchase price due and payable in or within three (3) years of the date of closing.

(2) Quarterly interest on the unpaid balance of the purchase price will be due and payable during the term of the balloon note. Interest rate to be computed based on the yield of ten (10) year United States Treasury maturities as reported by the Federal Reserve Board in "Federal Reserve Statistical Release H.15" plus 1½% rounded to the nearest one-eighth percent (⅛%) as of the date of acceptance of the bid by the Government.

##### 6. RISK OF LOSS

As of the date of conveyance the bidder assume responsibility for care and handling and all risks of loss or damage to the property and have all obligations and liabilities of ownership.

##### 7. INSURANCE

a. In the event a bid to purchase on credit terms is accepted, the successful bidder shall procure and maintain insurance at his expense during the term credit is extended as of the date of conveyance, for the benefit of the Government in such kinds and amounts as may be required by the Government.

b. Fire, extended coverage, and vandalism and malicious mischief insurance shall be maintained on the real and personal property covered by the bid, and such other property insurance as required to protect the Government's interest, and shall be in such amounts which, after taking into account the coinsurance provision, if any, of the insurance policies, will protect the unpaid indebtedness. All property insurance policies furnished in connection with credit sales shall be written in the name of the bidder, but shall name General Services Administration, as loss payee under a Standard Mortgage Clause (noncontributing) for real property and as a loss payee for personal property.

c. Insurance required by the Government shall be in companies acceptable to the Government and shall include such terms and provisions as may be required to provide coverage satisfactory to the Government. The original insurance policies or binders of insurance for the required insurance shall be provided as of the date of closing of the sale and all insurance policies or binders shall include a thirty (30) calendar day notice of cancellation to GSA.

d. Information concerning insurance requirements will be furnished by the Office of Administration, General Services Administration issuing office, J. W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109.

##### 8. CONDITIONS APPLICABLE TO CREDIT SALES

a. In the event bid to purchase on credit terms is proposed, financial data, references, and such other information as may be requested by the Government, shall be promptly furnished by the bidder.

b. No bid will be considered that proposes either a down payment in an amount less than the minimum requirements as stated in 5a above, or a greater period of time for payment than as stated in 5a above.

c. The Government's acceptance of any bid to purchase on credit terms may be rescinded by the Government, in the event of an adverse finding by the Government as to the bidders financial responsibility, without liability on the part of the Government other than to return the earnest money deposit without interest.

d. Contemporaneously with the delivery to the successful bidder of documents conveying the property purchased, he shall execute and deliver to the Government:

(1) A bond or note, in the form and substance satisfactory to the Government, evidencing his obligation for payment of the balance of the purchase price; and

(2) A purchase money mortgage, vendor's lien and mortgage, or deed of trust, in conformity with the practice of the State in which the property is located, the document in any case, however, to be in the form and substance satisfactory to the Government, and in any event to include:

(a) A restriction against sale, lease (unless the property was offered without leasing restrictions), or other disposition of the mortgage property or any part thereof without prior written consent of the Government;

(b) A requirement for provisions of insurance coverage satisfactory to the Government as to types or risks, amounts, and insurers;

(c) A provision that the principal obligation may be prepaid in full, or in part, at any time, without penalty;

(d) A provision that partial payments made in advance of the scheduled payment



shall be applied against the principal obligation in inverse order of maturity; and

(e) Agreement on the part of the mortgagee to allowance of reasonable attorneys' fees and costs to the Government in the event of foreclosure, and to a deficiency judgment (where not prohibited by State law) after foreclosure sale or exercise of power of sale in the mortgage.

e. Interest shall be computed in accordance with 5b above.

#### ANTITRUST LAWS

The contract made by acceptance of a bid by the Government may be transmitted to the Attorney General of the United States for his advice as to whether the sale would tend to create or maintain a situation inconsistent with the antitrust laws. The acceptance of any bid by the Government may be rescinded by the Government, in case unfavorable advice is received from the Attorney General, without liability on the part of the Government other than to return all monies paid by the purchaser, without interest.

#### 10. REVOCATION OF BID AND DEFAULT

In the event of revocation of a bid after the auction but prior to acceptance, or in the event of revocation of a bid after notice of acceptance, or in the event of any default by the successful bidder in the performance of the contract of sale created by such acceptance, or in the event of failure by the successful bidder to consummate the transaction, the deposit, together with any payments, subsequently made on account may be forfeited at the option of the Government, in which event the bidder shall be relieved from further liability, or without forfeiting the said deposit and payments, the Government may avail itself of any legal or equitable rights which it may have under the bid or contract of sale.

#### 11. TITLE EVIDENCE

Any title evidence which may be desired by the successful bidder will be procured by him at his sole cost and expense. The Government will, however, cooperate with the successful bidder or his authorized agent in this connection, and will permit examination and inspection of such deeds, abstracts, affidavits of title, judgments in condemnation proceedings, or other documents relating to the title of the premises and property involved, as it may have available. It is understood that the Government will not be obligated to pay for any expense incurred in connection with title matters or survey of the property.

#### 12. TITLE

If a bid for the purchase of the property is accepted, conveyance of the Government's interest therein will be made by a good and sufficient deed without warranty, express or implied.

#### 13. TENDER OF PAYMENT AND DELIVERY OF INSTRUMENT OF CONVEYANCE

The successful bidder shall on a mutually agreeable date not later than 90 days after acceptance of the bid, or such longer period as may be agreed upon in writing, tender to the Government the balance of the purchase price (if a cash sale), or (if a credit sale) the successful bidder shall pay the balance of the down payment, and shall execute and deliver to the Government the instruments described in 8d, above, and furnish evidence of insurance coverage. Upon such tender being made by the successful bidder, the Government shall deliver to the successful bidder the instrument, or instruments, of conveyance.

If the successful bidder fails to tender to the Government the balance of the purchase price if a cash sale, or, if a credit sale, the balance of the downpayment, and execute and deliver to the Government the instruments described in 8d, above, and in case of a credit sale to furnish evidence of insurance coverage within 90 days of acceptance of the bid, then the Government shall have the option whether to terminate the contract for default pursuant to section 10 and keep the deposit and other payments or whether to charge interest on the outstanding balance until such time as the conditions of sale are fulfilled by the successful bidder, or until the Government determines the successful bidder has defaulted. The interest rate shall be determined as in section 5. (2) above.

#### 14. DOCUMENTARY STAMPS AND COST OF RECORDING

The successful bidder shall pay all taxes imposed on this transaction and shall obtain at his own expense and affix to all instruments of conveyance and security documents such revenue and documentary stamps as may be required by Federal and local law. All instruments of conveyance and security documents shall be placed on record in the manner prescribed by local recording statutes at the successful bidder's expense.

#### 15. CONTRACT

The Invitation for Bids, and the bid when accepted by the Government, shall constitute an agreement for sale between the successful bidder and the Government. Such agreement shall constitute the whole contract to be succeeded only by the formal instruments of transfer, unless modified in writing and signed by both parties. No oral statements or representations made by, or for, on behalf of either party shall be a part of such contract. Nor shall the contract, or any interest therein, be transferred or assigned by the successful bidder, without consent of the Government, and any assignment transaction without such consent shall be void.

#### 16. OFFICIALS NOT TO BENEFIT

No member of or delegate to the Congress, or resident commissioner, shall be admitted to any share or part of the contract of sale or to any benefit that may arise therefrom, but this provision shall be construed to extend to the contract of sale if made with a corporation for its general benefit.

#### 17. COVENANT AGAINST CONTINGENT FEES

The successful bidder warrants that he has not employed or retained any person or agency to solicit or secure this contract upon any agreement or understanding for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Government the right to annul the contract without liability or in its discretion to recover from the successful bidder the amount of such commission, percentage, brokerage, or contingent fee in addition to the consideration herewith set forth. This warranty shall not apply to commissions payable by the successful bidder upon the contract secured or made through bona fide established commercial agencies maintained by the successful bidder for the purpose of doing business. "Bona fide established commercial agencies" has been construed to include licensed real estate brokers engaged in the business generally.

#### 18. OFFERS

Any bid accepted hereunder and any contract resulting therefrom shall be binding

upon the bidder, his heirs, executors, administrators, assigns, representatives or successors in interest.

#### INSTRUCTION TO BIDDERS, MONTAUK AIR FORCE STATION, INVITATION NO. GS-01-DR-E-4-0108

##### 1. REGISTRATION OF BIDDERS

On the date set forth for the auction, each prospective bidder at the sale will be required to register. At the time of registration, immediately preceding the auction, each bidder will be furnished the General and Special Terms and Conditions of Sale, and will be requested to sign a brief statement to the effect that they were received prior to the actual commencement of the auction. Each bidder will also be required to have in his possession and exhibit upon request the bid deposit in the amount and form specified herein.

##### 2. BID FORM

a. The highest qualified bidder at the public auction will be required to complete and execute the bid form attached to this Invitation for Bids, and all information and certification called for thereon must be furnished. Bids submitted in any other manner or which fail to furnish all information or certifications required may be summarily rejected.

b. Bids shall be filled out legibly with all erasures, strike overs, and corrections initialed by the person signing the bid and the bid must be manually signed.

c. Negligence on the part of the bidder in preparing the bid confers no right for withdrawal or modification of the bid.

##### 3. BID EXECUTED ON BEHALF OF BIDDER

A bid executed by an attorney or agent on behalf of the bidder shall be accompanied by an authenticated copy of his Power of Attorney or other evidence of his authority to act on behalf of the bidder.

a. Corporation. If the bidder is a corporation, the Certificate of Corporate Bidder must be executed. The certificate must be executed under the corporate seal by some duly authorized officer of the corporation other than the officer signing the bid. In lieu of the Certificate of Corporate Bidder, there may be attached to the bid copies of so much of the records of the corporation as will show the official character and authority of the officer signing, duly certified by the secretary or assistant secretary, under the corporate seal, to be true copies.

b. Partnership. If the bidder is a partnership, and all partners sign the bid, with a notation that they are all the partners, the Government will not ordinarily require any proof of the existence of the partnership. If all the partners do not sign the bid, then the names of all those except limited partners must be furnished on the bid and the Government, in its discretion, may require evidence of the authority of the signer(s) to execute the bid on behalf of the partnership.

##### 4. BID DEPOSIT

Each prospective bidder shall be required to possess and exhibit upon request a bid deposit in the amount of \$100,000 in the form of an Irrevocable Letter of Credit or certified or cashier's check made payable to the order of General Services Administration. The bid deposit shall be applied toward payment of the successful bidder's obligation to the Government. Failure to so provide such bid deposit shall require rejection of the bid.

## 5. ADDITIONAL INFORMATION

The Disposal Division, Office of Public Buildings and Real Property, General Services Administration, J. W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109, Telephone No. (617) 223-2651, will upon request, provide additional copies of this Invitation for Bids, Bid and Acceptance, and answer requests for additional available information concerning the property. The high bid submitted shall be deemed to have been made with full knowledge of all the terms, conditions, and requirements contained in this Invitation for Bids. The failure of any bidder to inspect, or to be fully informed as to the condition of all or any portion of the property offered will not constitute ground for any claim or demand for adjustment or withdrawal of a bid.

## 6. NOTICE OF ACCEPTANCE OR REJECTION

Notice by Government of acceptance or rejection of a bid shall be deemed to have been sufficiently given when telegraphed or mailed to the bidder or his duly authorized representative at the address indicated in the bid documents.

## 7. WAIVER OF INFORMALITIES OR IRREGULARITIES

The Government may, at its election waive any minor informality or irregularity in bids received or reject any or all bids, or portions thereof.

## PUBLIC AUCTION

Invitation To Bid No.: GS-01-DR-E-4-0108.

GSA Control No.: D-NY-592D

Property: Montauk Air Force Station, Town of East Hampton, Suffolk County, New York.

## BID FOR PURCHASE OF GOVERNMENT PROPERTY

Date:

Place:

To: General Services Administration.

Subject to: (1) the terms and conditions of the Invitation for Bids identified above, and its schedule; (2) the Instruction to Bidders, (3) the General Terms of Sale, all of which are incorporated as part of this bid, the undersigned bidder hereby offers and agrees, if this bid be accepted within sixty calendar days after date of bid opening, to purchase the property described in said Invitation for Bids for which bid price is entered below:

Amount Bid:

Bid deposit enclosed: \$100,000.

Note: See Paragraph 4 of Instructions to Bidders for information concerning amount and form of deposit.

To Be Completed Only By the Highest Bidder At the Action.

In the event this bid is accepted, the instruments of conveyance should name the following as Grantee(s):

Bidder Represents:

1. That he operates as: an individual doing business as \_\_\_\_\_ or a partnership consisting of \_\_\_\_\_ or a corporation, incorporated in the state of \_\_\_\_\_ or a trustee, acting for \_\_\_\_\_.

2. (a) That he has/has not, employed or retained any company or person (other than a full-time bona fide employee working solely for the bidder) to solicit or secure this contract, and (b) that he has/has not, paid or agreed to pay any company or person (other than a full-time bona fide employee working solely for the bidder) any fee, commission, percentage, or brokerage fee, contingent upon or resulting from the award of this contract; and agrees to furnish informa-

tion relating to (a) and (b) above, as requested by the Contracting Officer. (For interpretation of the representation, including the term "bona fide employee," see FPMR 101-45.313.4 (41 CFR 101-45.313.4).

Name and Address of Bidder:

Name:

Street:

City:

Country:

State:

Zip code:

Telephone No.:

Signature of person authorized to sign bid:

Signer's name and title:

## CERTIFICATE OF CORPORATE BIDDER

I, \_\_\_\_\_, certify that I am \_\_\_\_\_ (Secretary or other official title) of the Corporation named as bidder herein; that \_\_\_\_\_ who signed on behalf of the bidder, was then \_\_\_\_\_ of said Corporation; that said bid was duly signed for on behalf of said Corporation by authority of its governing body and is within the scope of its corporate powers.

## ARTICLE IV: DISTRICT USES

§ 153-17. Park and Conservation District. [Added 5-15-68]

A. Land in public and private ownership used for golf courses, tennis courts, nature preserves, hunting preserves, parks, recreational areas and beach areas. Such land in private ownership shall only be considered for inclusion in the Park and Conservation District after approval for such designation is requested in writing by the fee owner.

B. No buildings are to be allowed except customary structures relating to the particular use, such as golf clubhouse, tennis club, bathhouse, park administration and maintenance buildings, etc.

C. No building permit shall be issued unless a site plan showing the location of buildings, structures, driveways, parking areas, landscaping, fencing, drainage facilities, and pavement specifications has been approved by the Town of East Hampton Planning Board, and unless the method of sewage disposal and water supply has been approved by the Suffolk County Department of Health.

D. Nonflashing signs identifying the facilities in which they are located, not aggregating more than twenty (20) square feet, and provided that the top of any freestanding sign shall not extend more than ten (10) feet above the grade of land on which said sign is located, and provided further that no sign shall extend more than three (3) feet above the average ceiling level height of the building.

Mr. MOYNIHAN. Mr. President, I simply want to say I stand here on the floor of the Senate and I say caveat emptor, let the buyer beware. Anyone who bids for this property on the basis of this brochure is going to be swindled of his money by the U.S. Government, a pretty sight that, an edifying example to the rest of the Nation.

What is the matter with the GSA? We have spoken to Mr. Carmen who evidently expects to be before this body for confirmation for an ambassadorial appointment in the near future. We have said to him that the U.S. Government closed down the Montauk Air Force Base. That was a blow to the community. It was an active base and had been for some years. It was rea-

sonable to close it down. It was no longer in the inventory of the Defense Department. No one protested that and it was just assumed it would be incorporated in the State park to the north and it would abut the Montauk Lighthouse which is a national lighthouse. But then to add insult to injury, having closed the installation and left the \$1 million payroll missing, which is necessary—it has to be done, those things have to be done, you have to accept them—they say we will turn this property over to developers and take away a singularly visible part of our history. When you see a big photograph of Montauk Lighthouse you know where you are, you are arriving from Europe. It is the landfall on the United States. You have come to the New World. Now, that was not the New World of the 17th century but the New World of the 18th century when we put the lighthouse up for just exactly that reason.

So, Mr. President, I would like to let buyers know and let the CONGRESSIONAL RECORD record, GSA has misstated the facts. It is acting contrary to certainly the wishes of the New York State delegation in this matter, contrary very much to the wishes of the attorney general of New York State who feels that two major Federal statutes are being violated and it would take this matter to court, contrary to the wishes of the Governor, contrary to the wishes of the town, as if a caricature of the bumbling bureaucracy it is so often and perhaps unjustly being described as being. Mr. President, it is one thing to be a bumbling bureaucracy, it is another thing to participate in a sale of property which is misrepresented, and I am sure there was no deliberate intent to do this, and I do not suggest any deliberate intent to do this.

But it is nonetheless fact that on February 8, we propose to sell at auction property described as zoned for two-acre lots, which is in fact zoned for park and conservation use only. There will be no water made available to this place. There will be none of the facilities. Only that which the town can provide will be provided. And if only there would be a show of reason on the part of GSA, things would be extremely better and everyone could end up happy and no one, no one would question the integrity of the Federal Government, our integrity as well as that of the executive branch.

## MORE ON SCOOP JACKSON AND CENTRAL AMERICA

Mr. WILSON. Mr. President, those of us who were privileged to serve with Scoop Jackson as colleagues were only part of a broader bipartisan audience nationally who came to respect and rely upon his extraordinary grasp of



national security and foreign policy matters. Accordingly, Scoop's death was an extraordinary loss to all of us in that broader audience and the countless others who unknowingly were the beneficiaries of the knowledge and wisdom he shared with us on the floor of the Senate.

You will recall that just prior to his death Scoop focused his concern about the threat to vital American interests in the Western Hemisphere by proposing a plan for Central America. For those of you who missed it, I have enclosed a brief article by Ben Wattenberg that relates the recommendations of the Kissinger Commission to the actions which Scoop saw as so necessary (op ed A23 Washington Post Jan. 26, 1984). Wattenberg observes that in addition to Marshall plan like economic assistance, Jackson felt that Central America, like Western Europe, needed a military shield behind which to develop. Jackson knew that military power could not be bought on the cheap. He did not believe in shields made of paper or even tinfoil. I will not repeat more of Wattenberg's fine article, but instead urge that you take the brief amount of time required to give it careful reading.

I respectfully urge that you pay special attention to the words with which Scoop expressed his remarkably clear vision of the importance of American actions in Central America to a larger world peace and the future of individual liberty. I hope that you will agree with Ben Wattenberg's conclusion that all that remains to fulfill Scoop's idea is to sell it to a recalcitrant Congress. It is my hope that we will honor Scoop's memory by acting quickly upon the wise prescription that was one of his final and most important legacies to us and to the Nation. Let us be not a recalcitrant Congress, but a responsible Congress.

Mr. President I ask unanimous consent that Ben Wattenberg's article, "More on Scoop Jackson and Central America" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 26, 1984]

**MORE ON SCOOP JACKSON AND CENTRAL AMERICA**

(By Ben J. Wattenberg)

The Kissinger Commission report on Central America is dedicated to the late Sen. Henry Jackson.

Already President Reagan is referring to it as the "Jackson Plan."

Columnist Philip Geyelin—never previously known as a great supporter of Jackson's views on foreign policy—has written [op-ed, Jan. 20] that because the report calls for substantial military aid, it violates the spirit of what Jackson felt.

Perhaps it's time to set the record straight on Jackson's position on the Central American situation.

Jackson was not for a "Kissinger Plan." He was not for a "Reagan Plan." He was too

unassuming to think of it as a "Jackson Plan."

He was for a "Marshall Plan."

He had something very specific in mind when he used that term back in April 1983 to surface his commission idea.

He knew, of course, that the Central America of the early 1980s was very different from the Western Europe of the late 1940s. But there were some commonalities that resonated with Jackson. Central America today, like Western Europe then, needs massive amount of economic aid.

Roads, bridges, power, hospitals, public health—just to begin a long list. These things don't come about overnight, and they are not inexpensive. It is, in fact, impossible to make them happen while guerrillas are purposefully trying to destroy an economy.

Accordingly, Jackson felt that Central America, like Western Europe, needed a military "shield" behind which to develop. Jackson knew that military power could not be bought on the cheap. He did not believe in shields made of paper, or even of tinfoil. Geyelin imputes such a view to him, but it is contrary to the spirit of everything Jackson said about Central America or, for that matter, about the rest of the world.

Finally, Jackson was attracted to the Marshall Plan because of politics. The problem, then as now, was on the home front. Gen. George Marshall saw to it that an "independent" commission was formed to sell the bold, controversial and expensive idea to a recalcitrant and timid Congress.

That commission was chaired by Secretary of War Henry Stimson. It included notable Americans; Dean Acheson, Mrs. Wendell Wilkie, labor leader David Dubinsky. They sold the idea. And it worked.

Where are we today?

There has been a commission. Like Stimson's, it included many distinguished Americans. Some key members are people in whom Jackson placed great trust. Lane Kirkland and Bob Strauss are heavy hitters from the Democratic "A Team," and both were longtime admirers of Jackson and his views. Jackson felt Richard Scammon knew how the world worked—at home and abroad. Kissinger and Jackson had some titanic policy struggles in earlier years, but recently were in general agreement and had great respect for each other.

There has been a commission report. It echoes Jackson's call. It asks for \$8 billion in economic aid during a five-year period. It talks approvingly of the administration's request for more funds for military aid—about \$400 million per year for the next two years. (Note that the economic aid far surpasses the military aid.)

Ryan Malarkey, who was Jackson's staff man on Central America, says the commission's proposal "is fully in keeping with what Sen. Jackson had in mind."

So, all that remains to fulfill Jackson's idea is to sell it to a recalcitrant Congress. In the course of doing that, it will be wise to remember some of Jackson's words. He had a broad vision.

"Think of what destabilization of the whole Central American isthmus, including Mexico, could mean to our ability to meet our commitments. . . ." Jackson said. "Confronting hostile neighbors . . . any U.S. government would be faced with demands to bring our troops home from Europe and reduce our commitments in the Pacific. . . . The manner in which we meet the challenges in Central America affects profoundly our abilities to safeguard world peace and the future of individual liberty."

**MESSAGES FROM THE PRESIDENT**

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

**EXECUTIVE MESSAGES REFERRED**

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and a treaty which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

**SECOND ANNUAL REPORT OF THE TOURISM POLICY COUNCIL—MESSAGE FROM THE PRESIDENT—PM 105**

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science, and Transportation:

*To the Congress of the United States:*

In accordance with section 302 of the International Travel Act of 1961, as amended (22 U.S.C. 2124a), I hereby transmit the second annual report of the Tourism Policy Council covering fiscal year 1983.

RONALD REAGAN.

THE WHITE HOUSE, January 27, 1984.

**REPORT OF ACTIVITIES OF THE UNITED STATES GOVERNMENT IN THE UNITED NATIONS—MESSAGE FROM THE PRESIDENT—PM 106**

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

*To the Congress of the United States:*

I am pleased to transmit herewith a report of the activities of the United States Government in the United Nations and its affiliated agencies, as required by the United Nations Participation Act (Public Law 264, 79th Congress). The report covers the calendar year 1982, the second year of my Administration.

RONALD REAGAN.

THE WHITE HOUSE, January 27, 1984.

**EXECUTIVE AND OTHER COMMUNICATIONS**

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, which were referred as indicated:

EC-2330. A communication from the Federal Cochairman of the Appalachian Regional Commission transmitting, pursuant to law, a report on the Commission's system of internal accounting and administrative control; to the Committee on Governmental Affairs.

EC-2331. A communication from the Chairman of the Commodity Futures Trading Commission transmitting, pursuant to law, a report on the Commission's system of internal accounting and administrative control; to the Committee on Governmental Affairs.

EC-2332. A communication from the Comptroller General of the United States transmitting, pursuant to law, a list of GAO reports for December 1983; to the Committee on Governmental Affairs.

EC-2333. A communication from the Secretary of the Commission on Fine Arts transmitting, pursuant to law, a report on the Commission's system of internal accounting and administrative control; to the Committee on Governmental Affairs.

EC-2334. A communication from the Chairman of the Federal Maritime Commission transmitting, pursuant to law, a report on the Commission's system of internal accounting and administrative control; to the Committee on Governmental Affairs.

EC-2335. A communication from the Chairman of the Civil Aeronautics Board transmitting, pursuant to law, a report on the Board's system of internal accounting and administrative control; to the Committee on Governmental Affairs.

EC-2336. A communication from the Administrator of the Agency for International Development transmitting, pursuant to law, the semiannual report of the Agency's Inspector General; to the Committee on Governmental Affairs.

EC-2337. A communication from the Director of the Peace Corps transmitting, pursuant to law, a report on a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-2338. A communication from the Director of the Selective Service System transmitting, pursuant to law, a report on the System's system of internal accounting and administrative control; to the Committee on Governmental Affairs.

EC-2339. A communication from the Director of the Peace Corps transmitting, pursuant to law, a report on a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-2340. A communication from the Administrator of the Health Care Financing Administration (HHS), transmitting, pursuant to law, a report on a new Privacy Act system of records; to the Committee on Governmental Affairs.

EC-2341. A communication from the Assistant Attorney General of the U.S. for Administration transmitting, pursuant to law, a report on four new Privacy Act systems of records; to the Committee on Governmental Affairs.

EC-2342. A communication from the Chairman of the Federal Mine Safety and Health Review Commission transmitting, pursuant to law, a report on the Commission's system of internal accounting and administrative control; to the Committee on Governmental Affairs.

EC-2343. A communication from the Secretary of Education transmitting, pursuant to law, a report on surplus real property dis-

posed of to educational institutions; to the Committee on Governmental Affairs.

EC-2344. A communication from the Chairman of the Copyright Royalty Tribunal transmitting, pursuant to law, the Tribunal's annual Government in the Sunshine report; to the Committee on Governmental Affairs.

EC-2345. A communication from the Secretary of Transportation transmitting, pursuant to law, a report on the Department's system of internal accounting and administrative control; to the Committee on Governmental Affairs.

EC-2346. A communication from the Acting Assistant Secretary of the Interior for Indian Affairs transmitting, pursuant to law, the annual report on Indian education for fiscal year 1982; to the Select Committee on Indian Affairs.

EC-2347. A communication from the Clerk of the U.S. Claims Court transmitting, pursuant to law, a copy of the Court's order in *re Rincon Band of Mission Indians of Calif. v. the United States*; to the Committee on Judiciary.

EC-2348. A communication from Judge Nims, U.S. Bankruptcy Court, western district of Michigan, transmitting, pursuant to law, notice of his acceptance of appointment; to the Committee on the Judiciary.

EC-2349. A communication from Judge Speer, U.S. Bankruptcy Court, northern district of Ohio, transmitting, pursuant to law, notice of his acceptance of appointment; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ANDREWS, from the Select Committee on Indian Affairs, without amendment:

S. Res. 316. Original resolution authorizing expenditures by the Select Committee on Indian Affairs; referred to the Committee on Rules and Administration.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DOMENICI:

S. 2226. A bill to amend the Internal Revenue Code of 1954 to extend mortgage subsidy bond authority through 1990; to the Committee on Finance.

By Mr. GORTON:

S. 2227. A bill for the relief of William G. Riplinger; to the Committee on the Judiciary.

By Mr. MITCHELL:

S. 2228. A bill to amend the Trade Act of 1974 to authorize the President to negotiate an agreement establishing a joint commission to resolve trade and other economic disputes between the United States and Canada; to the Committee on Finance.

By Mr. BOSCHWITZ:

S. 2229. A bill to amend the Internal Revenue Code of 1954 to allow individuals to compute the deduction for retirement savings on the basis of the compensation of their spouses and to treat alimony as compensation for purposes of such deduction; to the Committee on Finance.

By Mr. PRESSLER:

S. 2230. A bill to provide a means to correct imbalances in the natural gas market in

order to restrain prices charged to natural gas users; to the Committee on Energy and Natural Resources.

By Mr. THURMOND (for himself, Mr. HOLLINGS, Mr. LEVIN, and Mr. STEVENS):

S.J. Res. 215. Joint resolution to designate the week of April 23-27, 1984, as "National Student Leadership Week"; to the Committee on the Judiciary.

By Mr. MOYNIHAN:

S.J. Res. 216. Joint resolution to affirm the policy of the United States to advance human rights in El Salvador by taking all measures that may be necessary or appropriate to assure that those responsible for the murders of four American churchwomen and other U.S. citizens are brought to justice; and for other purposes; to the Committee on Foreign Relations.

By Mr. HEINZ (for himself, Mr. GLENN, Mr. DOMENICI, Mr. PERCY, Mrs. KASSEBAUM, Mr. COHEN, Mr. PRESSLER, Mr. GRASSLEY, Mr. WILSON, Mr. CHILES, Mr. MELCHER, Mr. PRYOR, Mr. BRADLEY, Mr. BURDICK, Mr. DODD, Mr. AEDNOR, Mr. CHAFFEE, Mr. HOLLINGS, Mr. PELL, Mr. SARBANES, and Mr. LUGAR):

S.J. Res. 217. Joint resolution to authorize and request the President to designate the week of May 6, through May 12, 1984, as "Senior Center Week"; to the Committee on the Judiciary.

By Mr. BAKER:

S.J. Res. 218. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PRESSLER:

S. Res. 315. Resolution relating to the funding of college work-study programs; to the Committee on Appropriations.

By Mr. ANDREWS:

S. Res. 316. Resolution authorizing expenditures by the Select Committee on Indian Affairs; from the Select Committee on Indian Affairs; to the Committee on Rules and Administration.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOMENICI:

S. 2226. A bill to amend the Internal Revenue Code of 1954 to extend mortgage subsidy bond authority through 1990; to the Committee on Finance.

#### MORTGAGE REVENUE BOND REAUTHORIZATION

● Mr. DOMENICI. Mr. President, today I am introducing legislation which would reauthorize State mortgage finance authorities to issue mortgage revenue bonds for 6 years, until the end of 1990. The bill is retroactive to January 1, 1984, thereby eliminating any break in the authority for the bonds to be issued. This is necessary because the program sunsetted on December 31, 1983.

I would like to tell you briefly how important I think this program is and



why I think the Congress should reauthorize it. I also would like to indicate why I think we should extend the program for a limited period of time, rather than indefinitely, and to comment on a number of issues pertaining to the program.

There is no doubt in my mind that we have a housing affordability crisis of major proportions. It is made worse by the fact that there is a wedge driven between one generation that saw hard work rewarded by homeownership and the next generation frustrated by spiraling inflation in the 1970's which raised the price of homes to a point where many families today feel priced out of the ownership market. This could not come at a more inopportune time. The baby boom generation will be in the prime home buying ages of 25 to 45 during the 1980's. One and one-half million prospective first-time home buyers will enter the marketplace each year during the 1980's. It has been estimated that the demand for mortgages for the remainder of the decade will be approximately \$1.6 trillion. The magnitude of these housing needs is a challenge to our housing policy and demands careful and creative legislation.

Interest rates, cost of homes, and inflation have interacted over the years to create the affordability gap. For the past few years, two-salary families with sizable incomes have found themselves shut out of the home buying market because their disposable income has not kept up with the housing prices.

We have not always had an affordability gap. In fact, it used to be that low and moderate families could buy a typical new house if they wanted one. This is not the case any longer. In 1956 the median family income for a household headed by an individual under 35 was just \$4,700. A median-priced new home sold for \$16,739. With a 25-percent downpayment and limiting monthly mortgage payments to the standard 25 percent of income, the median-income family could easily qualify for the typical home.

A broad base of affordability continued throughout the 1960's and we experienced a dramatic gain in the national rate of homeownership. These were the golden years of housing affordability and millions of Americans made the most of this opportunity.

The decade of the 1970's by contrast, brought the first jolting aberrations to homeownership opportunity. Incomes doubled between 1970 and 1980, but housing prices tripled. By 1981 the median-income household could not qualify to buy the typical new home at the interest rates and terms available in the conventional lending marketplace. As of July 1983 the average family faced a \$16,250 deficit between the cost of the house it could afford to

buy and the median cost new house the marketplace offered.

This affordability gap is the reason why American homeownership is on the decline. This gap is the reason why Congress must reauthorize the mortgage revenue bond program as well as look carefully for other solutions to our housing needs.

The mortgage revenue bond program's role has been vital to the housing industry and the home-buying public. A headline that I saw some time ago summarized it well; save a program, help a home buyer. For many home buyers, mortgage revenue bonds meant the difference between qualifying and not qualifying for a mortgage loan. In practical terms, the program has meant that 150,000 young families were able to move into their own homes because of this program.

As I mentioned, there are 1½ million first-time home buyers entering the marketplace each year. I do not want to see these low- and middle-income families priced out of the market, and that may happen if this program is not reestablished.

This administration has made encouraging progress regarding inflation and interest rates; however, there is still a vital need for mortgage revenue bonds. Deregulation of the financial institutions has raised questions of how the mortgage credit needs, especially for low and moderate housing, will be met.

I like this program's approach because it allows each State to respond to its particular housing demands. In my own State of New Mexico the program has provided mortgages for close to 13,000 home buyers since the New Mexico Housing Authority was created in 1975.

The average income for families receiving a mortgage under the New Mexico program is \$23,582 and the average purchase price for a new home is \$48,916. The program has provided 3,298 new jobs in my State and generated \$25,541,733 in tax revenues based on figures provided by the mortgage finance authority in New Mexico.

Some Members of Congress have suggested an indefinite extension of the program. I have several reasons for advocating a temporary rather than an indefinite extension. First of all, I believe that it is good public policy to require the Congress to review all Federal programs periodically. Keeping a sunset on the program will allow us to evaluate the program periodically and to consider options.

The second reason for a limited extension is the fact that we do not know the outcome of the revolutions now occurring in our country's mortgage finance system. I feel that because the secondary market is undergoing a major change, and because there are some questions as to the effi-

ciency and targeting capability of this program, that we should continue to look for ways to improve its efficiency.

A proposal, closely linked to the mortgage revenue bond program is the creative option of allowing mortgage credit certificates to be used by States as an option to mortgage revenue bonds. This tax credit option was introduced last year as the First Time Homebuyer Assistance Act of 1983 which I cosponsored. The mechanics of that proposal are being refined by the Finance Committee and I would hope that at the time Congress enacted a reauthorization of the bond program it will also enact the tax credit option.

The course of action that I have outlined today is good housing policy and I urge other Senators to cosponsor this bill, get it passed, and let the mortgage finance authorities get on with providing help to home buyers. ●

By Mr. MITCHELL:

S. 2228. A bill to amend the Trade Act of 1974 to authorize the President to negotiate an agreement establishing a joint commission to resolve trade and other economic disputes between the United States and Canada; to the Committee on Finance.

#### ESTABLISHMENT OF INTERNATIONAL JOINT ECONOMIC COMMISSION

● Mr. MITCHELL. Mr. President, today I am introducing a bill that calls for the creation of an International Joint Economic Commission, which would aid in resolving disputes between the United States and Canada. Specifically, the bill calls on the President to negotiate with Canada to establish this new institution. I believe this Commission could enhance the quality of the economic relationship between the United States and Canada by resolving differences in a fair and impartial manner.

Our relationship with Canada has, by and large, been a very positive one. As each other's largest trading partner, the United States and Canada engage in extensive two-way trade in many sectors. But many irritants arising from policy differences threaten to block further progress. The uniqueness of our relationship, which is characterized by close social and political ties, gives hope that we can deal with our bilateral economic disputes in a constructive way.

As a Senator from a border State, I witness the influence that trade problems can have on public attitudes on overall United States-Canadian relations. Maine has strong economic ties to the Eastern Provinces in Canada, but complaints from important regional industries, such as the fishing, lumber, and potato industries, have produced in some cases an ambivalent or even hostile attitude regarding fur-

ther economic dealings with the Canadians.

The proposed International Joint Economic Commission would be modeled after the International Joint Commission, which has dealt successfully with boundary water problems since 1909. The responsibilities by the new commission would be similar to those of the IJC.

The case for a new institution to help manage our bilateral problems is a relatively straightforward one. Trade frictions will continue to occur, just as they have occurred throughout the history of our commercial relations. Now, however, I believe that conditions have changed so that our bilateral disputes are not as conducive to settlement.

The extensiveness of our commercial relationship with Canada is one major source of disputes. As each other's largest trading partner, Canada and the United States engage in a substantial volume of trade in many agricultural, industrial, and service sectors. Roughly 70 percent of Canada's total trade is with the United States, while just under 20 percent of U.S. trade is with Canada. Economic integration is further strengthened by the extent of investment in each other's economy. The U.S. share of foreign direct investment in Canada is approximately 80 percent, while Canada in turn accounts for 13 percent of foreign investment in the United States. While this close relationship is generally beneficial, it also creates many opportunities for frictions.

Exacerbating the natural tensions that arise from substantial trading is the differing ideologies embodied in the economic policies of each government. Although the current administrations of each country accentuate these differences, U.S. economic policies have always tended to involve a less active role for the Government than those in Canada. Contrasting ideologies can produce conflicts when initiatives undertaken for domestic purposes have international consequences. Canada's national energy program and its various policies designed to encourage regional development are good examples of this.

A more recent phenomenon is the growing U.S. merchandise trade deficit with Canada. In 1982, that deficit reached a record \$9.7 billion. As the experience with Japan has shown, the existence of a large and growing trade deficit, along with a high foreign exchange value of the U.S. dollar, can contribute to trade conflicts.

The factors that have produced disputes in the past can be expected to continue for the foreseeable future. Disputes will be more difficult to resolve than in the past, I believe, partly because of the declining relative economic status of the United States in the world. As other countries have

begun to match U.S. economic progress, there has developed in the United States a much less tolerant attitude regarding foreign economic relations. Consequently, the United States is likely to take harder bargaining positions in future negotiations.

For many years, the United States had with Canada a "special relationship" in which it acknowledged the unique status of Canada in various foreign and economic policy initiatives. This relationship has gradually eroded, as the two governments have reacted to global and domestic pressures. At the same time, Canada has followed a course of deemphasizing trade with the United States and diversifying its export markets. Under these conditions, settling bilateral disputes will be more difficult.

Although we probably have closer governmental ties with Canada than with any other nation, I believe that our process of settling disputes can be improved. The current process tends to be highly political, and there is significant linkage among issues. Because of the dominance of the United States, Canadian negotiators sometimes feel disadvantaged in this process. Less powerful interests in each country become suspicious that their interests are being traded off and that their positions are not judged on their merits. Furthermore, there is nothing to compel the United States and Canada to resolve their disputes.

Of course, these drawbacks characterize most bilateral relationships. But the close ties and harmonious relationship the United States has with Canada suggest that a more effective method of dispute settlement may be possible. I propose to create a new entity, the International Joint Economic Commission, whose purpose would be to facilitate the settlement of bilateral disputes involving economic issues. Modeled after the successful International Joint Commission, the new Commission would have an equal number of Commissioners appointed by each country and would have three basic powers.

First, it would conduct factfinding investigations and analyses of major bilateral issues. Disputes are often characterized by disagreements over facts, so the exercise of this function could help establish a common factual basis in controversial issues. Furthermore, an independent analysis of the issues involved in a dispute could highlight possible solutions overlooked by each country.

Second, the International Joint Economic Commission could give advisory opinions or recommendations on issues referred to it by both governments. This function would obviously be most useful when each government follows the recommendation. The IJC has been especially successful in this regard. Because the decisionmaking

process of the IJC is well respected, its recommendations are usually adopted.

Third, the International Joint Economic Commission could actually arbitrate disputes, again on a referral basis. While arbitration is a useful method of dispute settlement, this function would not likely be used very much. The IJC has never employed its arbitral responsibility, probably because this requires each country to yield part of its autonomy. Nonetheless, the new Commission should be given this responsibility in the event that the United States and Canada determine that arbitration would be useful in settling certain disputes.

Some observers of United States-Canadian affairs have expressed skepticism with the notion of creating an agency like the IJC to handle economic issues. It is fair to ask whether economic disputes will lend themselves to the same kind of United States-Canadian cooperation as water pollution issues have through the IJC. I believe, however, that a workable institution can be developed if each country is committed to an improved dispute settlement process.

Many experts on United States-Canadian relations have commented on the need to improve methods of managing our bilateral economic affairs. While few have endorsed this specific proposal, some have embraced even more ambitious plans for dispute settlement. In 1979, a joint working group of the American Bar Association and the Canadian Bar Association issued a report entitled "Settlement of International Disputes Between Canada and the U.S.A." This report contains valuable information and recommendations on dispute settlement procedures. It proposes two draft treaties which would establish compulsory and optional arbitration in various legal and nonlegal areas and new procedures dealing with transfrontier pollution. Although my proposal is not drawn from this report, the proposals of the two bar associations and my proposal for a new commission reflect a common belief that the complex United States-Canadian economic relationship demands an improved method of resolving disputes.

My proposal addresses those conflicts that have defied resolution through normal channels. Yet another aspect of managing our bilateral economic affairs is to prevent disputes from arising in the first place. This can be attempted through various methods of prior notification of government actions of more extensive consultations and negotiations on issues identified as potentially controversial.

One mechanism which could be employed for this purpose is a Council comprised of U.S. Cabinet Secretaries and Canadian Ministers. Such a Coun-



cil could serve as a forum for discussions on issues of mutual concern, with the hope that regular consultations can prevent differences from escalating to major disputes.

The United States has successfully used this mechanism to achieve progress on important bilateral issues with Japan and the European community. In fact, in recent years the United States has had, with varying degrees of activity, bilateral economic commissions comprised of government officials with over two dozen countries. It seems unusual that we have found this approach so useful with so many countries but have not established such a Council with Canada, our largest trading partner. I believe that the creation of such a Council merits the attention of trade policy officials in both the United States and Canada.

I recognize that the new institutional arrangement I am proposing is not a substitute for specific trade and investment policies dealing with Canada. The International Joint Economic Commission would be intended to facilitate the relaxation of tensions that threaten to undermine the mutually beneficial aspects of our extensive commercial, social, and political relations.

Our relations with Canada have improved somewhat in recent months and the Canadians are in the midst of a reevaluation of their policy toward the United States. Now may be the appropriate time for each country to demonstrate its commitment to a strong bilateral relationship by creating a new method of resolving economic disputes.●

By Mr. PRESSLER:

S. 2230. A bill to provide a means to correct imbalances in the natural gas market in order to restrain prices charged to natural gas users; to the Committee on Energy and Natural Resources.

#### NATURAL GAS PRICE REDUCTION ACT OF 1984

● Mr. PRESSLER. Mr. President, I rise today to introduce legislation designed to lower our ever-increasing natural gas prices. Since enactment of the 1978 Natural Gas Policy Act, which I opposed, we have been faced with an impossible market situation where natural gas prices keep rising even though there is a glut of natural gas on the market. Artificial price categories create "cheap" gas and "expensive" gas when there is no discernible difference in the product sold. Gas pipelines are guaranteed automatic price increases to compensate for any gas they buy—no matter how expensive or what alternatives are available. Pipelines have entered into long-term "take-or-pay" contracts which lock them into purchasing a set amount of expensive gas, regardless of their

demand needs or the alternative cheap gas available.

This bizarre combination has resulted in increasing gas prices for the consumer at a time when they should be decreasing. Huge reserves of "cheap" gas remain untapped, while the "expensive" new gas is being pumped out, leaving the captive consumers holding the bag.

To worsen matters, there is scant information available to prove or disprove business transactions that are not made in the best interest of the public. My recent experience in my home State of South Dakota, where gas prices rose almost 30 percent at a time when wellhead prices around the country were going down, and my ensuing investigation of that case, dramatically illustrated the real problems in this area.

Mr. President, it is unfortunate that Congress failed to address this problem when we were debating the various proposals last year. At that time, I asked that we stay in session until this vital issue was resolved. We must have a long-term solution to this problem. I am very hopeful that we can accomplish that this year. But it has proven to be very difficult to reach a consensus on this issue. The American consumer deserves relief now—especially in the Midwest where we are experiencing one of our coldest winters.

For this reason, the legislation I am offering today does not include all the elements of a long-term proposal. I will still strive for that end, but experience has shown that to be impossible in the near term. This bill would, however, address the key problems we are facing in this area and provide consumer relief now. In essence, this legislation would do the following:

First, allow gas purchasers to market out of current "take-or-pay" obligation;

Second, impose a "least cost mix" obligation to require pipelines to purchase and transport gas which is the cheapest available under current contracts;

Third, expand the definition of "fraud and abuse" to include business practices which are not in the public interest or which are determined to be imprudent; and

Fourth, improve pipeline and gas company reporting requirements so policymakers have adequate evidence upon which to base their decisions.

I urge my colleagues to take swift action to approve this measure soon so we can provide much-needed relief for natural gas consumers.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD immediately following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2230

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SHORT TITLE

SECTION 1. This Act may be cited as the "Natural Gas Market Correction Act of 1984."

#### FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that—

(1) problems of market imbalance threaten the natural gas industry;

(2) such problems are likely to result in natural gas users being burdened by excessively high prices;

(3) interstate commerce is significantly affected by such problems;

(4) an urgent need exists to provide immediate relief from natural gas contract provisions which cause those problems; and

(5) adequate information regarding the operation of the natural gas market is not available to the Congress and the public.

(b) It is the purpose of this Act to reduce the cost of natural gas supplies to end users which would otherwise occur under "take-or-pay" and other minimum charge contract provisions—

(1) by permitting natural gas pipeline companies to adjust volumes of high-price natural gas they would otherwise be required to take from producers and other suppliers, thereby facilitating new contracts (and renegotiation of existing contracts) for lower-price natural gas; and

(2) by treating any failure by such pipeline companies to provide to their customers the least-cost natural gas available under contract as if such failure were "fraud, abuse, or similar grounds" for purposes of the Natural Gas Policy Act of 1978.

#### NATURAL GAS PURCHASE CONTRACTS DEEMED TO INCLUDE VOLUME ADJUSTMENT OPTION

SEC. 3. (a)(1) Any contract for the first sale of natural gas shall be deemed to include a volume adjustment option (as defined in subsection (b)) with respect to any natural gas the first sale delivery of which would occur pursuant to such contract at any time after the effective date of this section and before July 1, 1984.

(2) Such option shall be in addition to, and not in lieu of, any other provision of such contract; except that such option shall supersede any other provision of such contract to the extent such other provision would prohibit or restrict the operation of such option.

(b) For purposes of this section, the term "volume adjustment option" means a contract provision under which the purchaser may elect to refuse to take delivery under such contract of any volume of natural gas (or portion thereof) without incurring an obligation to pay any fee or charge with respect to the natural gas not delivered pursuant to such election.

(c) Subsection (a) shall only apply to natural gas produced in the United States (including the Outer Continental Shelf).

(d) This section shall take effect beginning on the 15th day after the date of the enactment of this Act.

#### FAILURE BY A PIPELINE TO ACQUIRE THE LEAST-COST NATURAL GAS UNDER CONTRACT CONSIDERED AS FRAUD, ABUSE, OR SIMILAR GROUNDS FOR PURPOSES OF FEDERAL ENERGY REGULATORY COMMISSION REVIEWING PASS-THROUGH OF COSTS

SEC. 4. (a) Except as provided under subsection (d), the purchase by any natural gas

pipeline company of any natural gas which is delivered on any day on or after the effective date of this section and before July 1, 1984, at an excessive price shall be considered as fraud, abuse, or similar grounds for purposes of section 601(c)(2) of the Natural Gas Policy Act of 1978 (15 U.S.C. 3431(c)(2)).

(b) For purposes of subsection (a), the price of natural gas delivered to any natural gas pipeline company on any day shall be considered excessive if that price exceeds the price of any other natural gas not delivered to such pipeline company on that day but which could have been acquired by such pipeline company for delivery on that day under any contract to which the pipeline company is a party. Any modification of such contract after December 31, 1983 shall not be taken into account for purposes of the preceding sentence to the extent such modification results in a higher price, lower delivered volume, or earlier termination of such contract than would otherwise occur under the terms of such contract as they were in effect December 31, 1983.

(c) The purchase of any natural gas, by any natural gas pipeline company, which is not determined to be in the interest of the public, or which is the result of careless or otherwise imprudent business practices, shall be considered as fraud, abuse, or similar grounds for purposes of section 601(c)(2) of the Natural Gas Policy Act of 1978 (15 U.S.C. 3431(c)(2)).

(d) Subsection (a) shall not apply to the acquisition of any natural gas if—

(1) such acquisition is determined by the Federal Energy Regulatory Commission to be justified because of field drainage requirements, because of peak-shaving demands of any pipeline, local distribution company, or end-user, or because of similar reasons; and

(2) a filing for such exception is included with the first filing made by such company under section 5(a) of this Act.

(e) This section shall take effect beginning on the fifteenth day after the date of the enactment of this Act.

#### MODIFICATION OF COSTS UNDER PURCHASED GAS ADJUSTMENT CLAUSE

SEC. 5. (a) Within fifteen days after the date of the enactment of this Act, and monthly thereafter, such natural gas pipeline company shall file with the Federal Energy Regulatory Commission—

(1) a statement explaining how such pipeline company has used and will use the contract rights available under section 3, as well as other steps it has taken and proposes to take, to achieve the lowest possible weighted average acquisition cost of natural gas; and

(2) a modification of the costs to be recovered by such pipeline under a purchased gas adjustment clause, if the weighted average acquisition cost of natural gas by such pipeline company is lower by reason of the exercise of the contract rights available under section 3 or other steps taken by such pipeline company.

(b) Any modification made under subsection (a)(2) shall take effect on and after the date it is filed.

(c) The filings made under this section shall specify, with respect to each contract under which the pipeline company can acquire natural gas during the period covered by section 3—

(1) the parties to such contract;  
(2) the volumes subject to such contract;  
(3) the price or prices for the natural gas subject to such contract; and

(4) the point of delivery under such contract.

#### DEFINITIONS

SEC. 6. For the purposes of this Act—

(1) the term "natural gas pipeline company" means a natural gas company, as defined in section 2(6) of the Natural Gas Act;

(2) the terms "first sale," "deliver," and "Outer Continental Shelf" have the meanings given such terms by the Natural Gas Policy Act of 1978; and

(3) the term "purchased gas adjustment clause" has the meaning given such term under regulations issued under the Natural Gas Act.

By Mr. THURMOND (for himself, Mr. HOLLINGS, Mr. STEVENS, and Mr. LEVIN):

S.J. Res. 215. Joint resolution to designate the week of April 23-27, 1984, as "National Student Leadership Week"; to the Committee on the Judiciary.

#### NATIONAL STUDENT LEADERSHIP WEEK

Mr. THURMOND. Mr. President, it is my pleasure to introduce Senate Joint Resolution 216, which calls upon the President to proclaim April 23 through April 27, 1984, as "National Student Leadership Week."

In view of the several recent commission reports which have been highly critical of the quality of public education in our country, it is all the more important to encourage the kind of student leadership which goes hand in hand with quality education. This particular week in April would be set aside in order to increase public awareness of outstanding student leaders and to encourage them in their various cocurricular activities.

During this week, students who have been selected by their peers will be participating in a variety of activities designed to further develop their leadership skills. Around the Nation, these young people will be conducting debates on local, State and national issues; inviting government officials to speak in assembly meetings; holding student elections; and sponsoring "city official for a day" programs. This latter activity is an exercise in civic responsibility in which students assume the role of their mayors, police chiefs and city council members.

Other programs that have been implemented to encourage social responsibility include "Social Awareness Day," "Senior Citizen Awareness Day," youth career days and voter registration week. By participating in cocurricular activities such as these, our youth are developing a sense of responsible citizenship that helps mold the future leaders of our Nation.

Specially designed programs such as these involve a strong community effort and are designed and implemented at the local level. By restoring parents, local governments and community leaders to their rightful place in the educational process, the responsibility for quality education will rest

with those who can best influence our schools.

Mr. President, my commitment to education has been a lifelong one. Having had the experience of teaching vocational agriculture, mathematics, and physics, and coaching athletics, as well as having served as Edgefield County superintendent of education in my State, I feel that I have an understanding of how important it is to encourage young people in their endeavors, and to promote excellence in education.

Congressional enactment of this commemorative resolution, Mr. President, is symbolic of our support for the paramount goal of promoting excellence in education. I encourage my colleagues to join me in demonstrating their support for these student leaders by cosponsoring this resolution.

By Mr. MOYNIHAN:

S.J. Res. 216. Joint resolution to affirm the policy of the United States to advance human rights in El Salvador by taking all measures that may be necessary or appropriate to assure that those responsibility for the murders of four American churchwomen and other U.S. citizens are brought to justice, and for other purposes; to the Committee on Foreign Relations.

#### HUMAN RIGHTS IN EL SALVADOR

Mr. MOYNIHAN. Mr. President, I rise to introduce a resolution which would provide a clear and unequivocal declaration that the United States will insist on respect for human rights in El Salvador. In furtherance of this purpose, it would require the President to take all measures which may be necessary or appropriate to assure those responsible for the brutal murders of four American churchwomen and other U.S. citizens are brought to trial. To this end, the President would be authorized to provide protection for the participants in the judicial process. This measure also includes a broader authorization to permit U.S. assistance to El Salvador to improve the professionalism and human rights performance of its criminal justice system.

Mr. President, of the problems plaguing that turbulent region of the world we call Central America, none are more complex and challenging than those in El Salvador. In saying this, I do not wish to be understood as failing to credit Nicaragua for its destabilizing influence in this isthmus. The Sandinista government—intent as it is on exporting its Marxist-Leninist revolution to its neighbors—is the major direct source of the tumult in the area. But there, at least, our adversaries and their intentions are readily discerned—which tends to make our choices among possible policies at once narrower and somewhat easier to make. We cannot but respond firmly



to Nicaraguan violations of the OAS Charter's prohibition on intervention in the affairs of other nations.

While the situation is not better in Nicaragua than El Salvador, it is surely simpler. Whereas Nicaragua's fundamentally democratic revolution was captured and dishonored by totalitarians thereby prompting an insurgency, El Salvador is a fledgling democracy being torn apart by two civil wars in which the motivations and frequently the identities of the various participants and factions are unclear or unknown. Moreover, even if the Sandinistas were to cease their support for guerrillas in El Salvador, the deprivation and strife would surely continue.

El Salvador has been embroiled in violent conflicts since 1979. One of these conflicts pits persons seeking democratic government and reform against those trying to frustrate these efforts through use of death squads and other violations of basic human values. The second involves guerrillas—backed by Nicaragua and Cuba—who seek the overthrow of the Salvadoran Government. Terrorist tactics have been widely employed by both right and left wing factions. Undisciplined military and security forces have committed murders and other abuses. The fragile democratic institutions cannot long survive this kind of dual assaults. There has been some progress, but the path traveled has been a tortuous one. Despair seems to be the constant companion of hope.

One cannot visit El Salvador without developing a case of melancholy. I was there in December as part of a trip to Central America which also took me to Honduras, Costa Rica, and Nicaragua. One can see something of the character of the countries in the cathedrals in their capitals. To call the one in San Salvador austere is to flatter it. While the country is without doubt poor, it is not so poor that its oligarchs would be unable to provide the funds required to give the cathedral the most basic of whitewashes. Indeed, Honduras is a much poorer nation and yet its national cathedral is obviously meticulously cared for. However, at least the cathedral San Salvador stood, in contrast to Managua which lost its cathedral in an earthquake and replaced it with votive lights and icons depicting its new "saints," Sandino and the founders of the FSLN. But how long can the Salvadoran edifice endure? It has already withstood the assassination of an archbishop while saying mass. How much more can it take? The final, awful prophecy of William Butler Yeats' poem, "The Second Coming," came to mind:

Things fall apart;  
The centre cannot hold;  
Mere anarchy is loosed upon the world.

This country named after the Saviour is, indeed, in direful need of one. However, it will have to find the stuff of salvation from within.

While the United States can provide important assistance, there are limits to what it can achieve. If El Salvador wishes to see its way through the woods, its leaders must end the right-wing death squads and the abuses of civil liberties by its army and security forces. I put this proposition: If Salvadoran democracy cannot be protected from the predators on the right, it surely will not withstand the assault from the left. The center must hold.

I spoke to President Magana about the brutal 1980 murders of four American churchwomen in his country and the prosecution of the five former national guardsmen who have been charged with these crimes. I consider this a major test of Salvadoran resolve to make its woefully deficient judicial system work—a system which has been plagued by the ever present potential for intimidation and corruption. It is in the interests of both our countries that justice be done in this case. He agreed.

Unfortunately, it is the reality of El Salvador that its own leaders cannot be confident that justice will be done, especially in cases with political overtones. Our State Department's January 16, 1984, situation report on El Salvador refers to the "lack of respect and faith in the law" and the "effective collapse of the administration of criminal justice"—a system which manages a conviction rate of only 10 to 20 percent even in less sensitive cases of murder and other felonies.

While I was on my trip, press articles appeared which commented on the Tyler Commission report on the churchwomen's case. The New York Times—December 14, 1983—said that the report rebuts criticism that the administration failed to press for swift prosecution of the case. From my review of the matter, I can say that our Government has indeed pressed the case. It is my opinion that without the pressure from our Government, the prosecution would not have gone forward.

The Times also said that the Tyler report found "substantial evidence" that the five national guardsmen arrested are guilty of the murders, but "expressed concern that political pressures in El Salvador would undermine the government's ability to bring the murders to justice."

It is important to keep in mind that the military exerts a significant influence in society and that it is relatively rare to have a prosecution of members of the Salvadoran military in civil courts for crimes committed on duty. Whether a jury can be assembled and have the courage to vote their consciences remains an open and most troubling question. In this connection,

the State Department's January 16 report made this comment concerning the Salvadoran judicial system in general, but it appears especially applicable to the churchwomen's case:

The problem of intimidation is subtle and pervasive. Adjudication of a complaint against a Security Force member, for example, would simply be assumed to court a risk of retaliation, even if unstated. In this climate, physical security measures for participants in sensitive cases—judges, lawyers, jurors, witnesses—are necessary and urgent. There are now none.

Mr. President, I cannot understate the distressful circumstances in El Salvador. Nor can I understate the importance of the case against those charged with murdering the churchwomen proceeding to trial—a trial which must be insulated to the maximum extent possible from intimidation. The successful conduct of such a trial cannot but be considered a critical test of the resolve of El Salvador to establish the rule of rule. A failure will do far more than dash the hopes of the families and friends of the other Americans murdered in El Salvador that their killers will be apprehended and brought to justice: It will raise serious doubts whether El Salvador is capable of achieving any substantive progress toward reform.

Mr. President, the joint resolution I offer affirms that it is U.S. policy to insist on respect for human rights in El Salvador and our Nation's determination to take all measures that may be necessary or appropriate to bring to justice the persons responsible for the murders of the churchwomen and other U.S. citizens.

Section 2 of the resolution specifically authorizes the President to provide assistance to El Salvador for the protection of participants in the prosecutions of those charged with the murders of the churchwomen and other U.S. citizens. It would be for the President to determine the particular type of assistance. However, he would have an array of options at his disposal, which might include teaching the Salvadorans the security techniques employed in our Justice Department's witness protection program, such as relocation assistance. Funds for the purpose could be drawn from the \$3 million authorized in the continuing resolution for fiscal year 1984 for, among other things, projects in El Salvador to promote "protection for key participants in pending judicial cases." (Sec. 101(b)(1), Public Law 98-151.)

Section 3 would provide a standing authorization for the President to give assistance to El Salvador for programs and projects to promote the creation of judicial investigative capabilities, protection for key participants, in pending judicial cases, and modernization of penal and evidentiary codes. As indicated, the current authority will expire at the end of this fiscal year.

Section 4 provides an authorization for appropriations necessary to carry out sections 3 and 4.

Mr. President, I strongly urge my colleagues to support this resolution.

I ask unanimous consent that the text of the resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. Res. 216

Whereas there are two separate armed conflicts raging in El Salvador, one pitting persons seeking democratic government and reform against those trying to frustrate these efforts through use of death squads and other violations of basic human values, the other involving guerrillas—supported by Nicaragua, Cuba and ultimately the Soviet Union—seeking to overthrow the Government of El Salvador;

Whereas demonstrable progress by El Salvador toward democratic reform and respect for human rights is essential if it is successfully to resist subjugation by Marxist-Leninist revolutionaries.

Whereas at least nine United States citizens, including four churchwomen, have been murdered in El Salvador in the past few years;

Whereas the investigations and prosecutions of these, as well as other crimes, have been plagued by a criminal justice system which is woefully inefficient and susceptible to political pressure, intimidation and corruption: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That it is the policy of the United States to insist on respect for human rights in El Salvador and, in furtherance of such policy, the United States is determined to take all measures which may be necessary or appropriate to assure that those responsible for the murders in that country of United States citizens, including four American churchwomen, are brought to justice.

SEC. 2. In furtherance of the purposes of section 1, and notwithstanding section 660 of the Foreign Assistance Act of 1961, the President is authorized to provide assistance to El Salvador for the protection of participants in the prosecutions of those charged with the murders of the American churchwomen and other United States citizens.

SEC. 3. Notwithstanding section 660 of the Foreign Assistance Act of 1961, the President is authorized to provide assistance to El Salvador for programs and projects to promote the creation of judicial investigative capabilities, protection for key participants in pending judicial cases, and modernization of penal and evidentiary codes.

SEC. 4. There are authorized to be appropriated such sums as are necessary to carry out the provisions of sections 2 and 3.

SEC. 5. This joint resolution may be cited as "Declaration of United States Policy Concerning Human Rights in El Salvador."

By Mr. HEINZ (for himself, Mr. GLENN, Mr. DOMENICI, Mr. PERCY, Mrs. KASSEBAUM, Mr. COHEN, Mr. PRESSLER, Mr. GRASSLEY, Mr. WILSON, Mr. CHILES, Mr. MELCHER, Mr. PRYOR, Mr. BRADLEY, Mr. BURDICK, Mr. DODD, Mr. ABDNOR, Mr. CHAFFEE, Mr. HOLLINGS, Mr.

PELL, Mr. SARBANES, and Mr. LUGAR):

S.J. Res. 217. Joint resolution to authorize and request the President to designate the week of May 6, 1984, through May 12, 1984, as "Senior Center Week"; to the Committee on the Judiciary.

SENIOR CENTER WEEK

● Mr. HEINZ. Mr. President, I am proud to offer today, along with my distinguished colleague and ranking member of the Senate Special Committee on Aging, Senator GLENN, and 19 cosponsors, a Senate joint resolution designating the week of May 6 to be "Senior Center Week."

Mr. President, traditionally, May of each year is designated as Older Americans Month. It is a month set aside to acknowledge and honor older persons for their valuable contributions to our Nation. Older Americans Month is celebrated across the country by senior citizen organizations, local governments, and other community groups. Senior Center Week will illustrate that communities and older citizens are increasingly accepting senior centers as the primary source in the community for meeting the social as well as service needs of the older person.

Today, local communities support over 8,000 centers operating across our Nation. Senior center programs serve over 5 million older persons and range from small programs in church halls to extensive multipurpose centers, offering services from nutrition and counseling to information on employment and community service opportunities for older persons. Whatever their size or scope, all senior centers have one thing in common—their programs provide services and activities which enhance and, in many cases, extend the quality of life of older persons.

Congress recognized the value of senior centers when it established a separate program under the Older Americans Act to develop multipurpose senior centers as a place where older persons could receive a variety of services, such as health and legal services, under one roof. This program continues today under the auspices of title III-B of the Older Americans Act, and as chairman of the Senate Special Committee on Aging, I will work to insure that senior centers remain a visible part of the Older Americans Act.

The theme of this year's Older Americans Month is health and physical fitness. Senior Center Week will provide an opportunity to call attention to the creative ways in which centers across the country are responding to the needs of older persons who are at-risk of institutionalization, those who are more frail and more dependent than their able-bodied counterparts. The work senior centers do com-

plements, in a very real sense, our efforts to promote alternatives to institutionalization for older persons. These centers supply the health promotion and preventive services which are so critical to those older persons who need only a small amount of help in order to remain active and independent. Mr. President, I am proud to sponsor this resolution on senior centers to promote the recognition they so richly deserve.

I ask unanimous consent that the joint resolution be printed in the CONGRESSIONAL RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. Res. 217

Joint Resolution to authorize and request the President to designate the week of May 6, 1984, through May 12, 1984, as "Senior Center Week".

Whereas local communities support over eight thousand senior centers and there is hardly a city or town without one;

Whereas senior centers affirm the dignity, self-worth and independence of older persons by facilitating their decisions and action, tapping their experiences, skills and knowledge, and enabling their continued contribution to the community;

Whereas, encouraged and supported by the Older Americans Act, senior centers function as service delivery focal points, helping older persons to help themselves and each other, and offering service or access to community services as needed;

Whereas the month of May has historically been proclaimed Older Americans Month, and communities across the country are giving special recognition to older persons and the role of senior centers in serving them; and

Whereas the national theme for Older Americans Month is Health and Physical Fitness, and senior centers nationwide are viewed as centers of wellness and activity: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized and requested, as part of the proclamation for Older Americans Month, to designate the week of May 6, 1984 through May 12, 1984, as "Senior Center Week" and to call upon the people of the United States to honor older Americans and these local organizations that bring together activities and services for their benefit.●

● Mr. GLENN. Mr. President, I am pleased to join my distinguished colleagues in introducing this joint resolution to designate the week of May 6 as "Senior Center Week."

The senior center of today is a community focal point, a place where older Americans can meet, receive services, and participate in activities that will enhance their dignity, support their independence, and encourage their involvement in the community.

Since 1943, when the first senior center was established in New York



City, the senior center concept has grown into a service system of more than 8,000 centers located in communities throughout the country. In facilities ranging from storefronts to mobile units to modern new buildings, these locally initiated operations tap the skills, knowledge, and experience of older persons and focus them on activities that benefit themselves, their families, and their communities.

The multipurpose senior center acts as a bridge to the community. Older people have the same basic needs that all people have—for meaningful relationships and for opportunities to be participating members of our society. Regardless of economic status, opportunities to fulfill these needs lessen as individuals age. The senior center provides opportunities for establishing new roles for the former employee, employer, student, parent, and homemaker. The senior center helps older persons feel that they can and should continue contributing to their communities, and that they are valuable members of their communities.

The senior center originally directed its activities to older persons who came to the facility, but today's centers increasingly are developing services to meet the needs of all older persons within a given geographical area. Such activities include services to the homebound, first identifying them through outreach efforts and then following up with friendly visiting, home-delivered meals, chore services, and escort services.

The growth of senior centers closely corresponds to the flow of Federal dollars made available to senior centers after passage of the Older Americans Act of 1965. Authorized by title III-B of the act, senior centers have become firmly established in the fabric of American social agencies. This year we will reauthorize the Older Americans Act, and we will strongly reaffirm our support for senior centers as a prominent part of the act.

There is no limit to the roles that senior centers, their dedicated staff and volunteers, and their participants can perform in any community. I am honored to sponsor this resolution which recognizes senior centers and their important mission—to provide a broad spectrum of services, including provision of health, social, nutritional and recreational services for older persons. As older persons and those who work with them through the senior center gain attention as a viable resource, the image of aging begins to take on a more positive thrust. I urge my colleagues to support this resolution for "Senior Center Week." ●

#### ADDITIONAL COSPONSORS

S. 1086

At the request of Mr. CRANSTON, the name of the Senator from Massachu-

setts (Mr. TSONGAS) was added as a cosponsor of S. 1086, a bill to repeal section 212(a)(4) of the Immigration and Nationality Act, as amended, and for other purposes.

S. 1621

At the request of Mr. HUMPHREY, the name of the Senator from Massachusetts (Mr. TSONGAS) was added as a cosponsor of S. 1621, a bill to amend the Federal Aviation Act of 1958 to require commercial passenger carrying aircraft to be equipped with smoke detectors and automatic fire extinguishers in all aircraft lavatories and galley areas.

S. 1762

At the request of Mr. THURMOND, the name of the Senator from New Hampshire (Mr. RUDMAN) was added as a cosponsor of S. 1762, a bill entitled the "Comprehensive Crime Control Act of 1983."

S. 2003

At the request of Mr. DOMENICI, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2003, a bill to amend the Tariff Schedules of the United States to impose duties on subsidized hydraulic cement, cement clinker, and concrete block and brick.

S. 2089

At the request of Mr. MOYNIHAN, the name of the Senator from Indiana (Mr. QUAYLE) was added as a cosponsor of S. 2089, a bill to extend section 167(k) of the Internal Revenue Code for 10 years.

#### SENATE JOINT RESOLUTION 118

At the request of Mr. CHAFEE, the names of the Senator from Indiana (Mr. LUGAR), the Senator from Rhode Island (Mr. PELL), the Senator from New York (Mr. MOYNIHAN), and the Senator from Maryland (Mr. MATHIAS) were added as cosponsors of Senate Joint Resolution 118, a joint resolution to establish the Abraham Lincoln 175th Anniversary Commission.

#### SENATE JOINT RESOLUTION 167

At the request of Mr. HUDDLESTON, the names of the Senator from Idaho (Mr. MCCLURE), and the Senator from Alabama (Mr. DENTON) were added as cosponsors of Senate Joint Resolution 167, a joint resolution proposing an amendment to the Constitution of the United States with respect to the English language.

#### SENATE JOINT RESOLUTION 184

At the request of Mr. HOLLINGS, the names of the Senator from Minnesota (Mr. BOSCHWITZ), and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of Senate Joint Resolution 184, a joint resolution to designate the week of March 4, 1984, through March 10, 1984, as "National Beta Club Week."

#### SENATE CONCURRENT RESOLUTION 86

At the request of Mr. HEINZ, the names of the Senator from Oklahoma

(Mr. BOREN), the Senator from New Jersey (Mr. BRADLEY), the Senator from Texas (Mr. BENTSEN), the Senator from North Dakota (Mr. ANDREWS), the Senator from Ohio (Mr. METZENBAUM), the Senator from New Hampshire (Mr. HUMPHREY), the Senator from Michigan (Mr. RIEGLE), the Senator from Utah (Mr. HATCH), the Senator from Hawaii (Mr. INOUE), the Senator from Connecticut (Mr. DODD), the Senator from New Mexico (Mr. DOMENICI), the Senator from Rhode Island (Mr. PELL), the Senator from Colorado (Mr. ARMSTRONG), the Senator from Missouri (Mr. EAGLETON), the Senator from Illinois (Mr. DIXON), and the Senator from Massachusetts (Mr. TSONGAS) were added as cosponsors of Senate Concurrent Resolution 86, a concurrent resolution expressing the sense of the Congress regarding the persecution of members of the Baha'i religion in Iran by the Government of Iran.

#### SENATE RESOLUTION 287

At the request of Mr. COCHRAN, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of Senate Resolution 287, a resolution establishing a Task Force on Agricultural Credit.

At the request of Mr. HUDDLESTON, the names of the Senator from New Mexico (Mr. DOMENICI), the Senator from Nebraska (Mr. ZORINSKY), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Georgia (Mr. NUNN) were added as cosponsors of Senate Resolution 287, supra.

#### SENATE RESOLUTION 315—RELATING TO FUNDING OF COLLEGE WORK-STUDY PROGRAMS

Mr. PRESSLER submitted the following resolution; which was referred to the Committee on Appropriations:

#### S. RES. 315

Whereas the fiscal year 1984 budget did not contain adequate funding for college work-study programs under part C of title IV of the Higher Education Act of 1965;

Whereas the fiscal year 1983 budget contained college work-study program funding which was seven percent higher than the fiscal year 1984 budget;

Whereas fiscal year 1984 appropriations for college work-study programs were inadequate to meet the needs of lower- and middle-income students wishing to obtain a postsecondary education;

Whereas the college work-study program has proven a wise investment for our country by giving students valuable work experience;

Whereas the college work-study program has contributed to our nation's economic health by supplying our workforce with well-trained personnel; and

Whereas funding for the fiscal year 1985 budget should expand in proportion to the needs of students across the Nation: Now, therefore, be it

*Resolved*, That, it is the sense of the Senate that the fiscal year 1985 appropriations for college work-study programs under part C of title IV of the Higher Education Act of 1965 should be increased to not less than the amounts available in fiscal year 1983.

● Mr. PRESSLER. Mr. President, I would like to offer a resolution which would increase the fiscal year 1985 appropriations for college work-study programs under part C of title IV to the Higher Education Act of 1965, to not less than amounts available in fiscal year 1983.

The fiscal year 1984 appropriations for college work-study programs were inadequate to meet the needs of lower- and middle-income students wishing to obtain a postsecondary education. The time has come for us to realize the full potential of this fine program.

As a student at the University of South Dakota, I qualified for work-study funds and was employed at the Governmental Research Bureau. This program enabled me to help pay for my college education. I performed legal work for the city of Boston as a law student at Harvard University under the work-study program. The college work-study program helped me gain experience and additional money to continue my studies.

The college work-study program has long been a means by which low-income college students can earn money while in school. The students under the program perform productive work for pay. These earnings are usually put right back into the students' educational institution for such things as tuition, books, and housing. Not only does the program provide students with an earned income, but it also allows them to gain valuable job experience while still in school.

Carolyn Clague, a 4-H youth specialist at South Dakota State University, has told me the work-study students she supervises write booklets, prepare materials for workshops, do research, compile data, handle correspondence, review literature, and many other important jobs. These are just a few examples of the jobs that college work-study students perform throughout a school year. Jobs such as those I have mentioned give students skills which can be applied to a postgraduation job. Many students use their work-study jobs as a stepping stone to their future career goals.

By supplying our country's work force with well-trained young people, we not only improve productivity, but also contribute to the good economic health of our Nation.

Many colleges across the country use work-study students to perform tasks which free the permanent staff members to operate various educational programs which otherwise may not have been able to function. Students not only earn money and learn job

skills, but they also enable these necessary programs continued existence.

The college work-study program has proven a wise investment for our country. I encourage my distinguished colleagues to continue their support for this essential program by supporting my resolution to bring the fiscal year 1985 appropriations up to the fiscal year 1983 levels.●

#### SENATE RESOLUTION 316— ORIGINAL RESOLUTION RE- PORTED AUTHORIZING EX- PENDITURES BY THE SELECT COMMITTEE ON INDIAN AF- FAIRS

Mr. ANDREWS, from the Select Committee on Indian Affairs, reported the following original resolution; which was referred to the Committee on Rules and Administration:

S. RES. 316

*Resolved*, That, in carrying out the duties and functions imposed on it by section 105 of S. Res. 4, Ninety-fifth Congress, agreed to February 4 (legislative day, February 1), 1977, as amended and under a unanimous consent agreement of November 18, 1983, and in exercising the authority conferred on it by such authority, the Select Committee on Indian Affairs is authorized from March 1, 1984, through July 1, 1984, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

Sec. 2. The expenses of the committee under this resolution shall not exceed \$276,746.00, of which amount (1) not to exceed \$667.00 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(1) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$1,667.00 may be expended for training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

Sec. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 1985.

Sec. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required for the disbursement of salaries of employees paid at an annual rate.

#### NOTICES OF HEARINGS

##### SUBCOMMITTEE ON WATER AND POWER

Mr. NICKLES. Mr. President, I would like to announce for the information of the Senate and the public the scheduling of a public hearing before the Subcommittee on Water and Power in Woodward, Okla., to examine the deteriorating ground water supply situation in the northwestern part of Oklahoma, and to receive testi-

mony on S. 1811 and H.R. 71, authorizing the Secretary of the Interior to engage in a special study of the potential for ground water recharge in the High Plains States, and for other purposes.

The hearing has been scheduled for Friday, February 17, beginning at 9 a.m. in the Civic Center's Pioneer Room, located at 1218 Ninth Street, Woodward, Okla.

Those wishing to testify or who wish to submit written statements for the hearing record should contact Ms. Cheryl Fletcher, office of Senator NICKLES, 1916 Lake Road, Ponca City, Okla. 74601, telephone: 405-767-1270; or Mr. Russ Brown, Committee on Energy and Natural Resources, room SD-360, U.S. Senate, Washington, D.C. 20510, telephone: 202-224-2366.

For further information regarding this hearing, please contact Ms. Fletcher or Mr. Brown at the above-listed numbers.

##### COMMITTEE ON SMALL BUSINESS

Mr. WEICKER. Mr. President, I would like to announce that the Senate Small Business Committee's organizational meeting scheduled for January 30, 1984, has been canceled.

#### ADDITIONAL STATEMENTS

#### COMMEMORATING THE PROCLAMATION OF THE INDEPENDENCE OF THE UKRAINE

● Mr. BURDICK. Mr. President, for a number of years now, at the beginning of a new session of Congress, I have risen in this body to call to the attention of the American people the anniversary of the Proclamation of the Independence of the Ukraine.

This has always been a very special moment for me. My State has benefited enormously from the contributions made by citizens of Ukrainian heritage. I am proud to speak for them today. I am proud that the devotion to freedom, which has already taken the lives of millions of Ukrainians, drives the Ukrainian community in the free world to keep the fires of hope burning by observing January 22 as Ukrainian Independence Day.

So, Mr. President, it is an honor for me to speak on this subject, but I also speak with pain. Another year has passed in which the people of the Ukraine remain under the cruel domination of the Soviets. I speak with greater sadness this year because Dr. Anthony Zukowsky, honorary president of the North Dakota branch of the Ukrainian Congress Committee of America, lies critically ill in a Michigan hospital.

Dr. Zukowsky has immersed himself in the struggle for a free Ukraine. The knowledge and energy he brings to his



work are an inspiration to all. He is sorely missed.

As a tribute to Dr. Zukowsky, let me again this year remind the American people about the special place January 22 holds on the calendar for the free world.

On January 22, 1918, in Kiev, the people of the Ukraine proclaimed their independence. For 3 years, they engaged in a fierce struggle against the Bolsheviks to establish their independence. Tragically, the Bolsheviks prevailed, and the punishment that has been inflicted on the people of the Ukraine has been terrible indeed.

In the 1930's, a man-made famine caused the deaths of millions of Ukrainians. Over the years, the churches in the Ukraine have been destroyed, and the clergy and faithful subject to persecution. Most recently, members of the Helsinki accord monitoring group have been the victims of unfair trials and harsh prison sentences.

Still, many in the Ukraine refuse to accept the political and cultural domination of their land. As they continue their unrelenting struggle against a powerful adversary, we in the free world pay tribute this month to their unflinching courage and devotion to the principles of freedom and justice.●

#### ALBUQUERQUE JOURNAL INVESTIGATES DEATH SQUADS

● Mr. DOMENICI. Mr. President, I wish to call to the attention of the Senate an outstanding example of investigative journalism by the Albuquerque Journal. Between December 18 and December 22, 1983, the Albuquerque Journal published five articles by Craig Pyes that described for the first time the rationale and actual operating procedures behind "death squad" killing in El Salvador.

The result of 10 months of investigation and extensive interviews with individuals associated with Salvadoran political parties and security forces, the Albuquerque Journal articles offer an insight into a significant element behind the violence in El Salvador. The findings may not be correct in every single respect, and further investigation into the death squads may modify details of these accounts, but the Journal deserves our thanks for investing the resources needed to complete this bold undertaking.

Mr. President, the findings of this investigation support my own conclusion that future U.S. cooperation with the Government of El Salvador is dependent upon the establishment there of an effective judicial system. Without the detention and conviction of the persons behind the death squads it will be difficult for the American people to provide the assistance needed to turn around the economic deterioration. If the death squads con-

tinue their activity, it will be impossible to do so.

The so-called rightist elements in El Salvador have no monopoly on violence in that country. The insurgents can be equally brutal and often are, but this fact cannot be used to conceal the death squad activities associated with elements of the security forces and Government of El Salvador. Some of the associates of the death squads label President Reagan and Congress as Communist for opposing them. Such statements only confirm the primitive mentality of the individuals who bankroll mass killings of their own neighbors and countrymen.

Mr. President, I ask to have printed at this point in the RECORD, the articles in the Albuquerque Journal that I referred to earlier.

The articles referred to follow:

[From the Albuquerque Journal, Dec. 18, 1983]

#### A DIRTY WAR IN THE NAME OF FREEDOM (By Craig Pyes)

They believe in Jeffersonian Democracy and death squads. Their colors are red, white and blue. They are strident Salvadoran nationalists who have built the country's second-largest political party from a violent and anti-communist paramilitary network.

And in perfect English they learned in American schools, they defend the killing of thousands of civilians as necessary to preserve democracy and the free market.

In short, they are fighting for what Americans cherish most with the methods Americans value least.

Uncontrolled killing of civilians is at the center of debate about growing U.S. involvement in El Salvador. Since 1979, and after nearly a billion dollars in U.S. aid, the commitment of U.S. advisers and training programs, 40,000 Salvadorans—the majority of them non-combatants—have been killed. Many died at the hands of leftist guerrillas and their sympathizers. But most were killed by forces allied with a government supported by the United States.

The so-called rightist death squads use terror as a weapon to forestall economic reform and prevent negotiations with leftist guerrillas to bring an end to the four-year-old civil war.

Recent statements by President Reagan, Vice President Bush and Secretary of State George Shultz have described the death-squad issue as a major problem for continued United States support of El Salvador, after Congress trimmed \$22 million from U.S. military aid in response to renewed right-wing terror.

Yet the actual mechanism and rationale behind these killings have, until recently, largely been ignored.

Many times the only statements were the bodies themselves; bubbling in acid, bones broken, sexually mutilated, heads severed so cleanly that the efficiency of slaughterhouse machinery was suspected.

But why does tiny El Salvador, a largely agrarian society of fewer than five million, continue to produce death in such industrial quantities? And why, despite multiple changes in the Salvadoran military and government, does this grisly assembly line of violence continue after four years of U.S. concern?

A 10-month investigation by the Albuquerque Journal has traced the responsibil-

ity for many of the killings and disappearances to a political-military network established by rightist in the aftermath of the October 1979 U.S.-backed reformist coup. Today, the network has an aboveground alter ego in the Nationalist Republican Alliance (ARENA), El Salvador's largest right-wing political party.

This alliance of both military and civilians was established to be a highly organized counterforce to the revolutionary organizations of the left. Its methods were to fight terror with terror, organization with organization, intelligence with intelligence.

"If Americans think this is a war with one army fighting another army, they are wrong," explained coffee grower Alberto Bondanza, one of ARENA's founders. "This is not a conventional war. The only way to fight it is the way they (the left) have fought us. Once you identify your enemy, probably he will die. Luckily, the army is not against us. The death squads, they are fighting the war."

The death squads were at first groups of highly motivated civilians aided by a few sympathetic soldiers. But later, as the right re-established its dominance in the military, the actual killing was carried out more by members of the security forces, with the knowledge of the highest levels of the Salvadoran military.

The most visible member and the primary organizer of this paramilitary party is current Salvadoran Assembly President Roberto D'Aubuisson. Elected in 1982, he is a former intelligence officer who has made a dramatic bid to be El Salvador's savior from communism.

Expected to be ARENA's presidential candidate in next spring's election, D'Aubuisson said last week that Bush's death squad denunciation was "correct as he described it."

D'Aubuisson was asked why he was so often linked to death squads by his critics.

"Because I started to publicly attack everything that smelled of communism," he replied. D'Aubuisson said he was against the squads "because they don't favor the country, the armed forces or economic reactivation at all."

Asked where the squads originated, D'Aubuisson said: "If they belong to the left, I congratulate them because they are carrying out their objective. If they're from the right, I think they are mistaken, and if they're uniformed people (the government security forces) I also want to tell them they're mistaken."

But by D'Aubuisson's recollection a year ago, the summary executions had begun in government forces even before the 1979 coup, due at least in part to the deterioration of the Salvadoran justice system.

D'Aubuisson told the Journal in a long interview, that when he was in the security forces, "we began to act incorrectly and not take them (those they picked up for interrogation) to the judge, but make them disappear instead, so the same chain (of having them set free after leftist threats) wouldn't continue."

D'Aubuisson's climb to public prominence came primarily after the 1979 coup.

His financial backing came from the families of El Salvador's monied elite, an oligarchy whose grip on the government and the military was served in the 1979 coup.

With more than 100 interviews in Central America, Mexico and the United States—including talks with 40 ARENA party activists, some admitted death-squad members—and with documentary evidence including rightist internal intelligence files and classi-

fied U.S. Government cables, the Journal has confirmed that some members of ARENA's leadership collaborated with the national security forces in the planning and operation of a "dirty war" of counterinsurgency to physically eliminate their political enemies. An ARENA member said this meant polarizing the country and eliminating their enemies from the left to the political center.

This war "by assassination," which was made to appear the random violence of independent groups of fanatical rightists, was in many cases organized with high-ranking regular army officers and operated out of the intelligence offices of the National Guard, National Police and Treasury Police, as well as out of many military garrisons.

The Journal's investigation confirmed that, before the 1982 election, D'Aubuisson was associated with a clique of active-duty officers involved in underground paramilitary groups, such as the Maximiliano Hernandez Martinez Brigade, which took credit for a series of political murders. Other members of the paramilitary right who worked closely with D'Aubuisson took credit for Christian Democrats, the Social Democratic left and its sympathetic media.

D'Aubuisson—a retired army major—is not the highest figure in an organization that reached to the top levels of the Salvadoran armed forces, however.

"(There is) one man in particular, very strong—who is over him (D'Aubuisson) and let him risk himself," explained a foreign military expert close to the National Guard.

The "one man," the highest ranking officer in the network mentioned by insiders, was former Vice Minister of Defense Col. Nicolas Carranza. Carranza was the number-two man in the Salvadoran military until December 1980, when U.S. concern about human-rights abuses helped to pressure him from his post. Today Carranza heads the Treasury Police.

The other primary agency of counterterror with which D'Aubuisson had worked was the National Guard's G-2 central intelligence office while the Guard was headed by Gen. Carlos Eugenio Vides Casanova, currently minister of defense.

During the time Vides commanded the guard, active-duty military officers working with the G-2 were linked in State Department cables to the March 1980 assassination of Salvadoran Archbishop Oscar Arnulfo Romero and to the January 1981 killing of two American labor leaders.

These clandestine operations were made all the more lethal by foreign advisers.

These included French veterans of the Algerian Secret Army Organization's (OAS) terrorism of the late 1950s. They counseled D'Aubuisson's group on directing military violence for political ends.

Also brought in were Argentinian and other South American members of secret police organizations, to train the Salvadoran security forces in the murderous techniques of Argentina's "dirty war" against subversion in the 1970s.

The operations coached by the Argentinians were conducted out of safe houses that D'Aubuisson and others said they established. The safe houses were residences where prisoners were interrogated, tortured and executed.

Aiding those operations were many middle-class civilians in the towns and cities, and a rural paramilitary informants' organization with members numbering in the tens of thousands.

The purpose of the strategy was to shape, accelerate and direct police and military vio-

lence toward destroying the civilian infrastructure of the leftist movements in El Salvador. Toward this end, young members of the right-wing groups told the Journal, they, too, had organized in underground cells, attempting to build a network that would be an organizational mirror image of the leftist groups they were fighting.

In that civilian network were businessmen who killed people and young men in their 20s who bombed buildings. There were private pilots who smuggled in special weapons designed for covert purposes, such as Ingram submachine guns with silencers, night-vision scopes, combat-style bulletproof vests: good for self-defense but also the tools of the trade for political murder.

Even inexperienced teen-agers were used to disseminate propaganda and act as couriers for their fathers and brothers.

Well-to-do neighbors in their high-walled houses started calling each other by aliases, communicating in code and stockpiling automatic weapons and explosives.

As the Salvadoran election of March 1982 drew closer, the paramilitary underground began the job of fashioning a legitimate political party. Members made contact with and received advice and assistance from members of the new right in the United States.

The Salvadoran rightists admired the Reagan right of the U.S. Republican Party and modeled their party at least partially on the Republican Party platform of 1980.

When the returns of the March 1982 Salvadoran elections came in, it was clear the violent right had completed its transformation from an illegitimate, clandestine force to a strongly entrenched power in the Salvadoran government. ARENA captured 25 percent of the vote and D'Aubuisson the presidency of the Constituent Assembly.

With these electoral successes, party members had accomplished at least some of their goals: they had forced out the U.S.-backed Christian Democrats and completely disarmed and dismantled the progressive sectors of the army. And although they hadn't stopped the reforms, there were the March 25, 1984, presidential elections to look forward to.

As one U.S. State Department official remarked, "The right is still deadly, but now it is legitimate."

The Journal's interviews disclosed that the history of ARENA from the 1979 coup to the 1982 election triumph had been diligently recorded and secretly stored in boxes and files and on video cassettes in El Salvador, Guatemala and Miami.

At the movement's head were wealthy Salvadorans living in luxurious exile. They consist of a small number of families fancifully labeled "The 14," linked by intermarriage, and who control the banks, the major businesses and foreign trade.

But the movement's heart is what the wife of one wealthy Salvadoran exile called the "second families," the American-educated managers who administer the holdings of "The 14."

They are the implementers and expeditors: cordial, smartly dressed in designer jeans and the latest fashions. They would not look out of place in Beverly Hills or Santa Fe, except for the .45s bulging from the waistbands of their "Calvins" or the revolvers tucked away in their handbags.

Except for the crowded Salvadoran slums lapping up to their hilltop neighborhoods, they live in an island of Americana. They take their kids in bulletproof cars to McDonald's, nod to the machine gun-toting guard protecting the Golden Arches.

"This emerging middle class has a greater fear of communism than anything even our ideologues can imagine," explained one member of the U.S. National Security Council, who, like most officials, refused to be quoted by name in El Salvador. "D'Aubuisson is not an isolated case. He's not a power seeker for himself or for 14 families. He symbolizes a new development. There's a hell of a lot more here than we (U.S. policy-makers) ever talked about."

ARENA Vice President Hugo Barrera, who bears a bullet scar inflicted by a labor agitator in his factory, experienced such an outpouring of emotion after joining D'Aubuisson that he composed a war hymn, still sung by ARENA faithful, called "Tremble, Tremble Communist!"

"If you had communists there (in the United States) blowing up your Golden Gate Bridge and your factories," said Barrera, "you would hate the communists, too."

Barrera himself never admitted engaging in any paramilitary activity. Other ARENA party members who did, however, told how they progressed from hating communists to killing them. But they complained bitterly that their actions were distorted by the international press.

"The left can do these things, but we're not the Robin Hoods, that's all," complained Mario Redaelli, a former high ARENA official.

The Journal's interviews with ARENA members took place over austere dinners in empty mansions, at the poolsides of luxury hotels and at rightist gatherings where coups and military uprisings were discussed openly.

Within this constantly changing montage, moods alternated between trust and paranoia. The interviews generally started on a philosophical level, then moved to remembrances of specific events.

Only after months of interviews was the subject of death squads approached, what the right euphemistically called the "military side."

"Even among ourselves, no one had the full picture," said Ricardo Paredes, a former ARENA vice minister. "Because we knew some of us would be captured by the enemy. . . . You are not killed here because of what you do, but because of what you know."

That point was driven home in Miami, when Orlando De Sola, a scion of one of El Salvador's wealthiest families, became concerned because the Journal had penetrated what he called "our inner circle."

"What you know is dangerous," De Sola said. "People get killed for knowing what you know."

It may be years before the full picture is ever known, but what emerges from these interviews and related material is a glimpse into the inside story of one of the most overtly violent episodes of Central American history.

[From the Albuquerque Journal, Dec. 18, 1983]

RIGHT BUILT ITSELF IN MIRROR IMAGE OF LEFT FOR CIVIL WAR

(By Craig Pyles)

El Salvador's Nationalist Republican Alliance (ARENA) first made its appearance as an organized political party in the fall of 1981, behind the charismatic leadership of former army intelligence major Roberto D'Aubuisson.

The "Nationalist" in its name emphasized the predominant importance of the state,



typical of other violent anti-communist political movements which have used the term, such as the German Nazi (National Socialist) Party and the Guatemalan National Liberation Movement (MLN). The "Republican" was added in recognition of the right wing's resurgence in the United States, signaled by the victory of Reagan Republicans in 1980. And the term "Alliance" recognized the pooling of interests of sympathetic members of the oligarchy, military men, civilian businessmen and conservative peasants who, until four years ago, exercised El Salvador's only recognized political power.

ARENA is the vehicle by which its backers seek to reassert their traditional hold over Salvadoran society. Its emergence came four years after the Oct. 15, 1979, Young Officers Coup that set out to end corruption and human-rights abuses and topple the traditional power structure.

But unlike the rest of El Salvador's parties, ARENA is not just a political organization: it is a political-military organization, modeled after the revolutionary communist parties of the extreme left.

ARENA insiders describe a theory of counterinsurgency (anti-guerrilla) warfare which parallels the development of the party.

The theory explains El Salvador's epidemic of death-squad killings as the implementation of a philosophy of selective and mass assassinations carried out in an organized manner.

D'Aubuisson is perhaps only the most public figure in ARENA, a political movement that contains others more powerful than he. The party organization spans all of El Salvador's 14 departments (provinces). It is divided into sectors that correspond roughly to the traditional divisions of Salvadoran society, such as youth, peasants and farmers.

But the party also embraces local military officers, security-force operations and a broad vigilante network of civil defense units suspected of being used to eliminate the party's political opposition.

Current U.S. intelligence indicates that ARENA may be connected to a single countrywide death-squad network, consisting primarily of three loosely knit regional organizations which in total do not exceed 50 persons.

In San Salvador the names of the operating groups are the Secret Anti-Communist Army, the Maximiliano Hernandez Martinez Anti-Communist Brigade and the Comando Metropolitano, whose commander is known only as Comandante Leopoldo.

In the eastern part of the country, the death squad is known as the Gremio Anti-Comunistas Salvadoreña. In western El Salvador, it is called the *escuadrón de la muerte* (literally translated, "the death squad"), which operates under the trademark "EM."

Federal authorities have been ordered by the administration to determine whether affluent Salvadoran exiles in Miami might be financially linked to the death squads, and if so, whether they could be deported from this country.

D'Aubuisson told the *Albuquerque Journal* the group's underground organization was copied from the Taiwanese, with whom he studied special counterinsurgency courses in 1978. The Taiwanese teach, according to Rand Corporation analyst Brian Jenkins, that civilians should be organized in a political structure to support their own military, to give it "a flow of intelligence." The

result, he says, is a military at the service of a political party, not just the state.

"The Taiwanese really insist on this 'war of organizations,'" D'Aubuisson explained in a long interview with the *Journal*. "If an infantry battalion isn't adequate to combat guerrillas, let us design an organization that works."

The plan, explained one D'Aubuisson aide, was to establish a three-tiered organization containing a "political or propaganda level . . . to encourage and protect the military level; . . . a financial system where we would always have money to attack; and a military level—what the United States called right-wing death squads—people who go out and kidnap and kill the communists the way they were doing it to the rightists."

"We divided into a Salvadoran group and a Miami group," said the D'Aubuisson aide. "The Miami group was finances."

In the Miami group were members of El Salvador's oligarchy. They felt dangerously exposed after the 1979 coup broke its hold on the military and upset the old power structure.

At the beginning, said a D'Aubuisson associate, "everybody (on the right) was jockeying for position. The people who had money were putting up the money, and the people who had the guts were doing it by putting themselves up."

Those who put up the money at first, and who later became key financial backers of ARENA, which emerged later, were primarily planters with agribusiness and banking interests and who live in condominiums in Miami.

The identities of most of them are as well known in El Salvador as the names Rockefeller and Getty are in the United States. They include: Guillermo "Billy" Sol, Orlando De Sola, and relatives of Guatemalan rightist leader Mario Sandoval Alarcon.

Within the Salvadoran exile community in Miami, *Journal* sources said, there was talk in 1979 about hiring military men and foreign advisers to re-establish "a security network" that would operate its own death squads. Names of participants weren't revealed, but rumors put the fund-raising goal for this endeavor as high as \$10 million.

The general plan was confirmed by former Salvadoran president and Christian Democratic Party leader Jose Napoleon Duarte.

"The people in Miami started to get military people," Duarte said. "I know at least three of the men they called. They were looking for people to create a structure outside the army, to do the things the army could not do." They wanted to find someone to put together a "military and guerrilla force, the same as the left had . . . They were concerned about the intelligence work in particular."

"Terrorism cannot be fought with conventional methods," asserted Guillermo "Billy" Sol, a financier and right-wing activist and one of D'Aubuisson's earliest backers. The only answer, he said, is "destroy it." And to accomplish its destruction, "you need excellent intelligence. D'Aubuisson is excellent on that. He's U.S.-trained."

In fact, the intense, chain-smoking intelligence officer has spent most of his 20 years of military service tracking down enemies of the state.

Those who knew D'Aubuisson in ANSESAL, El Salvador's executive intelligence agency, where he worked until a few months before the coup, described him as an eager, energetic political policeman, whose photographic memory contained the information from file cards, computer printouts and dossiers on the political opposition.

In 1978, fresh from special training courses in Taiwan, D'Aubuisson composed a 64-page intelligence report for the National Guard which became the text on the relationships between social reformers and Marxist guerrillas for the various Salvadoran governmental intelligence services.

D'Aubuisson was assigned to the elite of those services, the Salvadoran National Security Agency, ANSESAL.

ANSESAL was formed of the heads of the military services and internal security forces and answered directly to the president. From its offices in the Presidential Palace, it functioned as the brain of a vast state security apparatus that reached into every town and neighborhood in the country. By conservative estimate, at least one Salvadoran out of every 50 was an informant for the agency.

In addition to gathering intelligence, ANSESAL was used to carry out death-squad activities before the coup, according to Salvadoran and U.S. officials.

After the coup, ANSESAL was ordered disbanded.

Rebuilding that intelligence system, and using its data base for identifying the enemy, became a central goal of D'Aubuisson's nationalist movement.

"It is not a civil war, an open war, a legal war," explained Ricardo Paredes, a former ARENA vice minister of education. "We don't want to fight a fair war. We have to go and beat their pants off."

Because the ultimate leadership of the communist organizations is always hidden, the intelligence services must be turned into "services of combat" to uncover the "the secret brain" and destroy it, D'Aubuisson explained.

"If you destroy the (civilian) organization, the guerrillas will starve up in the mountains," Paredes said.

In addition the abolishing ANSESAL, when the young officers came to power in their bloodless 1979 coup, they retired or transferred nearly 60 senior officers and ordered the disbanding of a controversial rural paramilitary National Democratic organization, known by its Spanish acronym ORDEN.

They also established a commission to investigate the fate of political prisoners and the "disappeared."

D'Aubuisson said he resigned from the military two weeks after the coup, his superiors before the investigating commission.

But the *Journal* found that D'Aubuisson maintained a close relationship with high military authorities even after he resigned the service and while paramilitary units tied to his organization were carrying out a widespread terrorist campaign.

Before the coup, almost 200 people a year were being killed, allegedly by government security forces. El Salvador was known in the international community as one of the world's worst violators of human rights.

After the coup, the rate of killing rose steadily to 800 a month.

Both U.S. and Salvadoran officials attribute most of the increased post-coup violence to "independent anti-communist death squads" financed by the oligarchy and directed by the right-wing paramilitary underground. The Salvadoran military leadership said that D'Aubuisson was running these paramilitary operations from Guatemala and that they had issued an arrest warrant to be served should he re-enter El Salvador.

D'Aubuisson said that, after he left the army, his activities were directed toward building a network, both within and outside

the armed forces, which he said had been compromised by pro-Marxist elements supporting the coup.

Initially, he said, he met with former intelligence operatives and right-wing political leaders to salvage the intelligence system of the pre-coup regime.

Three members of the Salvadoran high command at that time said D'Aubuisson was employed by the military for at least six weeks after he formally resigned, reorganizing the central ANSESAL intelligence files for the army general staff.

D'Aubuisson filched a duplicate set of the reorganized files, which became the basis of a central enemies list used to orient the death squads.

"Only a small circle of us saw the files," said Paredes.

They were loaned to the security forces and consulted like scripture, and used in video tapes circulated in the barracks in an effort to link the young officers with the communists.

And to make sure the intelligence files had the widest public exposure, D'Aubuisson used portions as the basis for an unusual "guerrilla TV" series in which he would recite the names of civilian opposition leaders, in much the same manner that former U.S. senator Joseph McCarthy produced lists of alleged American communist sympathizers in the 1950s.

But unlike McCarthy's victims, those denounced by D'Aubuisson lost not only their jobs—some lost their lives, and others were forced to flee the country.

D'Aubuisson's video presentations were praised by Col. Nicolas Carranza, then deputy minister of defense and number-two man in the military. Carranza said he had helped D'Aubuisson with the files.

The military "thought what he (D'Aubuisson) was doing was right," said Carranza, now head of the Treasury Police. "There was no reason to prosecute him while he was fighting communists."

Later, he added, when D'Aubuisson began "to attack the Christian Democrats . . . we held off a little. The army had a pact with the PDC."

D'Aubuisson's files contained the names of most of the civilians of the popular opposition who had been invited to join the government after the coup.

D'Aubuisson said he considered the civilians in the new government communists or their "useful fools," and wrote that conclusion in an intelligence report for the army high command a few months after his ostensible resignation from the military.

In December 1979, only 11 weeks after joining the government, virtually the entire civilian Social Democratic opposition resigned over the question of death squads tied to senior military officers. The Social Democratic moderates had been viewed by many as the last chance to avert a violent revolution.

Within five months, government resignations from center-left democratic parties protesting the violence surpassed 30. Many subsequently allied themselves with leftist guerrillas.

D'Aubuisson's "new ANSESAL" was moved under the army general staff and, until late 1981, operated as a political police against the Christian Democrats then in power and did little else, according to military officials from the United States and El Salvador.

Rightist insiders involved with the paramilitary underground said that D'Aubuisson remained in contact with about 100 mostly

low- and mid-level officers from the security forces, working closely with 15 to 20.

These sources pointed out the National Guard and Treasury Police, particularly their intelligence units, as the rightists' two main bases of support in 1980, which they called "a big paramilitary year." Both agencies have been accused by U.S. officials of conducting mass assassination campaigns.

The biggest target was the Christian Democrat Party (PDC), whose right wing maintained power with U.S. support after the civilians of the first junta resigned at the end of 1979. The PDC remained in power until the elections of March 1982.

ARENA party leaders told the *Journal* that they recognized the need for the moderate facade of Christian Democratic President Duarte during the junta period, in order to get military support from Washington.

But to the extreme right-wing network being assembled by D'Aubuisson, the rank-and-file Christian Democrats also were the foe. According to PDC spokesmen, more than 260 of the party's leaders, including 35 Christian Democratic mayors, have been murdered in the past three years. Many of these killings have been traced to former members of ORDEN. This group of rag-tag, machete-wielding peasants and conservative farmers formed the base of the government's disbanded ANSESAL internal espionage network.

But D'Aubuisson said he recruited and paid about eight of ORDEN's 14 departmental officials to maintain ORDEN's structure down to the local level, and rechristened the organization the "Democratic Nationalist Front."

The ORDEN network was formed in the mid-1960s by D'Aubuisson's mentor, former National Guard chief (now retired) Gen. Jose Alberto "Chele" Medrano, who was identified by U.S. officials as both a CIA liaison and head of the Salvadoran "White Hand" death squads in the 1960s.

Medrano fashioned ORDEN to support his own political aspirations, building the organization around paramilitary power and political control. ORDEN recruited vast numbers of civilian agent-volunteers, put a chief in every town and a political leader in every area, who reported to the National Guard.

By the late 1970s, the governmental spy network was estimated to employ more than 80,000 "ears" and 6,000 paramilitary troops. A report by the Organization of American States recommended in 1978 that the government abolish the vigilante group for its participation in killings, torture, voter fraud and political intimidation.

Much of that network now has been absorbed into ARENA. Retired Col. Mario Rosales y Rosales, one of ORDEN's original organizers, controlled the organization and "all military for ARENA," said a high party official. The official, who asked not to be named, said Rosales put an ORDEN man in each province to run the party.

At the beginning, D'Aubuisson said, ORDEN was the foundation of the mass movement he was about to build.

To counter leftist support groups, D'Aubuisson said he began to put together an umbrella "civic organization to support the armed forces politically and to extend military intelligence capabilities."

Called the Broad National Front (FAN), its membership was made up of private enterprise associations, such as the coffee growers, cattle ranchers and young executives, plus the Women's Front and a youth

organization called the Salvadoran Nationalist Movement (MNS).

Each of these elements was later fused into the ARENA party.

MNS was one of the most idealistic segments of the burgeoning right-wing nationalist movement. Its young members were mostly American-educated aspiring businessmen who were the sons of upper-middle-class Salvadorans. They had sworn a "blood oath" dedicating their souls to the battle against communism. They were also one of the first groups to join D'Aubuisson.

Paredes, one of the founding members of MNS, described the civilian organizations as "counterparts to the army, giving it information (about persons ranging) from the peasants to very high-up people" to help destroy the urban guerrillas.

MNS members said the organization did not participate in paramilitary activities but, for safety's sake, "decided to copy the enemy's strategy operating with (other) secret groups in a combination of cell and chain."

A number of these cells formed civilian defense groups which patrolled the upper-class neighborhoods, linked by CB radios and initiating actions under cover of their defense units.

The system was helped into place by Carranza, who explained the network with obvious pride. He said he personally organized Civil Defense Committee No. 1, which had about 20 people, mostly doctors, lawyers and businessmen, who patrolled in "sophisticated groups with radio systems hooked up to the National Police" and the armed forces.

These groups, said D'Aubuisson, were integrated into FAN and formed "levels of defense more or less in leadership with me."

Beneath FAN was an underground network of civilian-military death squads. According to information contained in the organization's private files, members of its "clandestine army at one point considered calling themselves 'The Army of National Salvation.'"

The name was never generally used in public, but one former Salvadoran junta member said that "The Army of National Salvation" was known to some of "the highest people in government" who thought it may have been the high command of the right controlling all the other paramilitary groups.

A few months before the March 1982 elections, the metamorphosis of FAN into ARENA was completed. ARENA burst into the open as a new Salvadoran political party. Its motto was "The Party of National Salvation."

#### D'AUBUISSON'S FLEDGLING PARTY FINDS A MENTOR IN GUATEMALA

(By Craig Pyes)

Four years ago, a meeting took place in the baroque headquarters of Guatemala's ultra-right-wing National Liberation Movement (MLN) in downtown Guatemala City.

Presiding was MLN leader Mario Sandoval Alarcon, a man whose name has become synonymous with right-wing terrorist violence in Central America.

The meeting was the beginning of an extended program of aid and guidance from Guatemala's MLN to a group which would later become the Nationalist Republican Alliance (ARENA) in El Salvador.

Sandoval spoke in an electronic rasp caused by a cancer operation. He told his audience, a group of young Salvadoran businessmen worried by the leftist direction



their country was taking, about the bloody history of the MLN and the sacrifice each of them would have to make to form a party like the MLN in El Salvador.

Sandoval's own political organization has earned him the nickname "godfather" and the vice presidency of Guatemala. That organization is one of the largest and most disciplined in Central America.

Its origins go back to 1953, when the party was formed hastily as a mercenary army by the U.S. Central Intelligence Agency for the successful overthrow of Guatemalan reformist president Jacobo Arbenz Guzman the next year.

During the 1980 Guatemalan presidential elections, the MLN advertised itself as "the party of organized violence."

Sandoval is an important figure in the rise of ARENA. He not only advised it politically, but loaned the Salvadorans advisers to train them in underground techniques.

And Sandoval said he gave ARENA the MLN slogan: "Dios, Patria y Libertad," ("God, Fatherland and Liberty"), which the MLN received from the assassinated Dominican dictator Rafael Trujillo.

Both parties fly the same colors: blue for God, white for country and red for the bloodshed in obtaining liberty.

The MLN sword was appropriated by the Salvadorans but later muted into a cross.

But the most important advice Sandoval said he gave his Salvadoran counterparts was to organize themselves politically.

The Guatemalan leader told the *Albuquerque Journal* that at first, when Roberto D'Aubuisson and the other Salvadorans came to see him in 1979, they were concerned only with getting arms and organizing their paramilitary underground.

Sandoval said he tried to restrain them "from falling into the error of (becoming only) a terrorist organization . . . If they kill you, you kill back," he said. But he warned that without a political organization they would lose within a year.

To help them get started, Sandoval said, he raised money for D'Aubuisson's group, making "several trips to Miami to visit relatives." The sum was far less than \$10 million, he said, and was earmarked for political purposes.

The MLN also aided the Salvadoran rightists in smuggling weapons into El Salvador, according to a former highly placed Guatemalan official who asked not to be identified.

At one point in 1980, Sandoval and D'Aubuisson briefly collaborated in a project intended to expand the anti-communist war throughout Central America. Their project targeted Nicaragua, in what turned out to be a prototype of the paramilitary organizations reportedly later funded by the CIA.

Their organization was to be called the "Anti-Communist Front for the Liberation of Central America" (FALCA).

"It's not new," Sandoval explained. "It's a copy of the communists. The parties of the right in Central America have to have single political organization. . . ."

The organization, however, never got off the ground.

D'Aubuisson first met Sandoval through a group of young Salvadoran rightists who had formed a group called the Salvadoran Nationalist Movement (MNS). One of its members, David Ernesto "Neto" Panama, who became a D'Aubuisson aide, is Sandoval's nephew.

Panama proudly describes his "uncle Mario" as "the biggest anti-communist leader in the world, now that Chiang Kai-shek (the former leader of Taiwan) is dead."

When the MLN was established under Carlos Castillo Armas ("The Liberator") in 1953, the group began as a paramilitary force and only later became a political party.

In the mid-1960s, the MLN leadership integrated anti-communist civilians into the military's security apparatus to wage an anti-guerrilla campaign in eastern Guatemala.

In the cities, according to a well-informed Guatemalan politician, the MLN began a new organization called the *Mano Blanca*, or "White Hand," which began issuing death threats, followed by assassination teams.

During the ensuing terror campaign, a program of mass political assassinations was directed against those who spoke out in favor of the poor. It was the first such terror campaign in Central America.

During the two years of its duration, human-rights organizations estimate that between 3,000 and 8,000 Guatemalans were killed by rightist forces.

When the Guatemalan guerrilla movement reappeared in the late 1970s, the Guatemalan death squads also returned, and thousands more were killed. Each time the death squads appeared in Guatemala, similarly named killing groups appeared in neighboring El Salvador.

The inspiration for the spread of militant anti-communist parties worldwide can be credited in part to the Taiwan-based World Anti-Communist League (WACL). Sandoval has long been a leader of WACL's Latin American branch, which is dominated by anti-semitic, neo-fascist groups, and has received support from countries like Paraguay and Argentina.

In early 1980, Mario Sandoval sent two of his nephews—Panama and Carlos Midence, a Guatemalan from his own party—to visit top military and political leaders in the Southern Cone of South America (Argentina, Chile, Paraguay) to gather information and political support for a right-wing counter-offensive in Central America.

Sandoval provided them with introductory letters to high officials in the Argentine Army, the commander-in-chief in Paraguay, the head of Uruguayan intelligence (where D'Aubuisson had studied), and officials in Chile.

Panama said they took extensive notes in each of the meetings on methods of psychological war and other anti-guerrilla strategies. Afterward, he said, he wrote a report of about 25 pages for D'Aubuisson, who relayed it "to the right people in the (Salvadoran) Army."

The military officers who favored these aggressive methods had been hindered from employing them through the armed forces, D'Aubuisson said, because of the reforms following the 1979 young officers coup. But as the influence of the reformers waned in 1980, D'Aubuisson said "the anti-subversive operations began to turn out better" because the military could take them over directly.

Documentary confirmation of this strategy by Salvadoran rightists was further provided by their own internal reports viewed by the Journal.

A June 1980 analysis of the Salvadoran military from the private files of a group working closely with D'Aubuisson quotes an analyst writing under the code name "Alpha."

"The military operations of the armed forces now are more effective and they are attacking neurological points of the enemy,

destroying important sections of their organizational structure. Finally, the Salvadoran army is making battle outside the framework of conventional war."

"ARENA, that's my baby," exclaimed Midence, a roly-poly former MLN organizer who sports a Nazi swastika medallion he says was given to him by the private secretary of Hitler's former propaganda minister in Argentina.

Like other MLN members, he refers to ARENA as a "a copy" of the MLN in organization, in ideology and in symbolism.

Said Midence, who advised the Salvadorans on underground techniques, 1980 was a year that the Salvadoran rightists spent studying how to get the army to work with them.

"In 1981, they got their diploma," he said.

## TWO DINNER PARTIES MEET, AND TWO AMERICANS DIE

(By Craig Pyes)

They had been looking for a chance to get Salvadoran land-reform chief Jose Rodolfo Viera for a long time. On Jan. 3, 1981, they did.

Viera and two Americans were dining that evening in the Sheraton Hotel in San Salvador, at the same time as a group of ultra-right-wing businessmen and army officers.

Accounts differ as to exactly who ordered it, but the result became three of the most notorious homicides of the more than 40,000 committed during the last four years by death-squad terrorists of both the left and the right in El Salvador's bloody civil war.

Two National Guard privates burst into the Sheraton dining room and sprayed Viera's table with machine-gun fire. Viera and his two companions fell to the floor mortally wounded.

The other victims were American advisers to the land-reform program, Michael Hammer and Mark David Pearlman. Both were employees of the American Institute for Free Labor Development (AIFLD), an AFL-CIO affiliate. The three men personified governmental reform, central to U.S. policy in El Salvador.

Members of the civilian-military dinner party were all part of a self-described "brotherhood" of right-wing Salvadorans combined in a ruthless campaign of political kidnapping and murder to save their country and the fortunes of its oligarchy from those they perceived to be their enemies.

The right-wing political movement was formed behind the political leadership of a former intelligence major, Roberto D'Aubuisson. Ten months after the killings, the alleged perpetrators, D'Aubuisson and others would form ARENA, now El Salvador's second-largest political party.

"They killed our own people, our friends, our own goddamned people, and what can we do about it?" asked Howie Lane, U.S. embassy public affairs officer at the time of the shootings. "One day Mark (Pearlman) is giving us a briefing on agrarian reform, and the next day he's killed by these mad-dog types who are supposed to be on our side!"

Today, almost three years later, no one has gone to trial for the crimes. The cases of two of the suspects withered in a maze of legal technicalities, official reluctance to prosecute and intimidation and threats against the judiciary.

The case offers an intriguing glimpse into the heretofore secret world of El Salvador's death squads, whose resurgence has caused a crisis in this country's relations with El Salvador.

It underscores the contradictory objectives of U.S. policy: pursuit of the military war against the left by the Salvadoran government, and the goal of neutralizing the hard-line elements in the military who pursue the policy of indiscriminate violence.

"The issue is, which war do we think we're winning?" asked a U.S. House Intelligence Committee aide.

The contradictory nature of the situation couldn't be better illustrated than by the AIFLD slayings, where the military officers involved also had official military liaison and intelligence contacts with the U.S. embassy, according to U.S. officials and classified government cables.

The officers also were among a select group including Salvadoran Assembly President D'Aubuisson, which is suspected of directing a deliberate campaign of selective and mass assassination. Some targets have been progressive sectors of the Catholic Church and the Jesuit order, an archbishop, Christian Democratic Party leaders and labor union activists.

A 10-month investigation by the *Albuquerque Journal* into rightist violence included interviews with admitted death-squad members, Salvadoran military officers and U.S. officials with access to current U.S. intelligence as well as to classified U.S. cables.

The investigation traced responsibility for much of this death-squad violence to Salvadoran military intelligence units which direct special teams of assassins from within government security forces and most army garrisons.

Some of these teams are politically motivated hit squads connected to far-right interests; others are simply military operations bent on gathering intelligence and eliminating the enemy.

Until recently the Reagan administration was reluctant to challenge this system of political killings for fear that an investigation could destroy the delicate alliances within the military, further setting back the faction-ridden Salvadoran Army in its struggle against left-wing guerrillas.

Those interviewed by the *Journal*—including well-placed Salvadoran military contacts—constantly emphasized that death squads on the government's side could not operate without some cooperation or support in the military high command.

The Hammer-Pearlman-Viera assassinations illustrate involvement by the Salvadoran military in what seems to be a policy of official murder. The case touches on highly placed army officers and prominent right-wing businessmen, and their use of government intelligence agencies to identify political opponents for assassination.

Within the Salvadoran military, the killings emphasize the difference between two main groups on how the "war on subversion" should be fought: those who believe communism is countered through reforms, and the hard-liners who believe communism is countered by killing subversives—and who are convinced that those who support the reforms are communists.

Salvadoran military authorities interviewed said they believe that today 15 to 20 percent of the officer corps supports a philosophy of unconventional war, and that this support is present at the highest levels of the command structure.

Those cases involving the killing of Americans have become a special concern of Congress.

Progress in solving the case—like that of the four American churchwomen killed by National Guardsmen the month before—

had been made a condition of continued aid to El Salvador. But President Reagan recently vetoed a requirement that the administration certify progress in human rights as a condition of continued aid, and a specific restriction regarding the AIFLD case was exempted from a recent funding resolution.

The officers and businessmen thus far implicated in the Sheraton killings are all close associates of D'Aubuisson. The army officers are among those recently identified by the U.S. embassy as still running death squads.

Their base of operations then was the National Guard's G-2 intelligence section.

The commander of the National Guard at the time was El Salvador's current defense minister, Carlos Eugenio Vides Casanova. No information has surfaced to suggest that Gen. Vides actually ordered any death-squad killings. Both U.S. and Salvadoran rightist sources say, however, that the National Guard commander followed a strict policy of official ignorance.

In a normal military intelligence operation, operatives gather information, categorize and analyze; then make reports to other agencies of government for responses and countermeasures. In El Salvador, the same military intelligence services that gathered the information acted on it.

"They were both the collectors of intelligence and the action people. . . . They also handled raids," said a U.S. source familiar with the G-2 operations of the Salvadoran National Guard.

One U.S. diplomat described the military intelligence-death squad network and the officers who ran it as "the most efficient killing machine in the whole National Guard."

The G-2 headquarters is in an isolated wing of the National Guard headquarters building in San Salvador.

According to reports from international human rights organization members who toured the area shortly before the 1979 coup, it contains a warren of cells, one-way mirrors in interrogation rooms, torture paraphernalia and radio equipment to monitor "subversive" broadcasts from Russia, Cuba or the Catholic Church.

After the 1979 coup, the National Guard continued to operate as the country's most active political police force.

Its "enemies list" of clerics, union leaders, Christian Democrats and agrarian reformers was compiled by D'Aubuisson, who was chief of the operation before the coup.

The former major resigned from the military shortly after the coup but continued to work in an advisory capacity with G-2, reestablishing its intelligence contacts and building an auxiliary civilian network.

The head of G-2 at the time was then-Maj. Mario Denis Moran, a military classmate of D'Aubuisson. Moran was described by paramilitary activists as D'Aubuisson's main contact in the National Guard, and "of our line."

Moran and his wife were in the dinner party at the Sheraton the night of the triple slayings.

Moran was cleared by FBI-administered polygraph tests of any role or foreknowledge in the killings, but the polygraph showed deception regarding a cover-up.

A businessman accompanying Moran was Ricardo Sol Meza, part-owner of the hotel, director of Coca-Cola El Salvador and closely aligned with D'Aubuisson. Sol Meza was originally a suspect in the slayings and jailed for 10 months in 1981, but was released.

Also in the party was Lt. Rodolfo Isidro Lopez Sibrian. A lanky young redhead, Lopez is called by his nickname, "the little match." U.S. officials describe him as the G-2's "action man," commanding about 40 men, with 15 to 20 engaged in regular killing.

The two privates who were the triggermen said Lt. Lopez gave them their orders.

Lopez arrived at the hotel first, accompanied by Sol Meza's brother-in-law, Hans Christ, a young Salvadoran executive now living in Miami. Christ was named by the triggermen as the one who led them through the hotel lobby and pointed out the victims.

Christ has denied he was involved, asserting he only accompanied the intelligence officers and his brother-in-law to the hotel the night of the killings for a social evening.

As a student in Marietta, Ga., in 1974, information from police sources there indicates, Christ was closely involved with Mitchell WerBell III, famous for his international anti-terrorist training school and other activities on the fringe of international intrigue.

While in WerBell's employ, Christ surreptitiously obtained a copy of WerBell's file from police intelligence by convincing an employee of that division that he worked for the CIA. He was arrested for threatening the officers when the ruse was discovered, but the charges were dropped before trial.

A third military officer who joined the group at the hotel that night was Capt. Eduardo Alfonso Avila. Avila, in his mid-30s, had regular contact with the G-2. He is from one of El Salvador's most prominent families. His uncle is an ARENA founder and Supreme Court justice; a cousin runs the powerful McCann-Erickson advertising firm in San Salvador, which handles the party's public relations; and another cousin married former U.S. Ambassador Deane Hinton.

Avila also worked closely with D'Aubuisson. He was known by various nicknames: "Baldy," for his naked pate fringed by dark hair; and "Eddy," because of his fluent English learned in American and British schools. But he was more commonly called "El Loco," for his volatile temperament and his bravado on risky assignments.

One of those assignments, he bragged, was the March 24, 1980, assassination of Salvadoran Archbishop Oscar Arnulfo Romero, according to a U.S. government cable. Avila is quoted in the dispatch as saying he planned the assassination and had two others help him carry it out.

The triggermen in the Hammer-Pearlman-Viera assassinations said Avila also participated with Lopez in planning the killings.

All those who met at the Sheraton had loyalties to the large landowning families dispossessed in 1980 when the army seized the country's largest estates and converted them to peasant-run cooperatives.

Sol Meza and Christ married sisters whose lands were later expropriated by the reforms. Maj. Moran also married into one of the large landowning families. Avila and Lopez both were close associates of D'Aubuisson and were arrested with him in May 1980 on suspicion of plotting a right-wing coup.

Within this group of military officers and powerful businessmen, agrarian-reform leader Viera, who headed the Salvadoran Institute for Agrarian Transformation (ISTA) under the Christian Democratic junta, had become "Public Enemy Number



One," according to statements attributed to Capt. Avila in U.S. government memoranda. The army captain said Viera's killing had been planned for some time and that Christ helped in the planning. Before the encounter at the Sheraton, sources close to the case said, there had been at least three prior attempts against the land-reform leader, and one of those attempts had been traced to Lopez underlings.

By all accounts, the Americans—Hammer and Pearlman—never were meant to be targets. On the night of Jan. 3, 1981, the two groups met by chance in the Sheraton coffee shop, and the Americans happened to be with Viera. The occasion was termed a "golden opportunity" because the labor advisers "meant nothing but trouble," said a rightist source close to D'Aubuisson.

According to the labor institute's investigation and the gunmen's public statements, Christ spotted Viera and the two Americans as they entered the restaurant and remarked, "Look at that 'son-of-a-bitch' (Viera)—he has let his beard grow. I wish he were dead."

About an hour and a half later, Avila and Lopez met outside in front of the hotel where their bodyguards were waiting, and Lopez handed the two privates Ingram sub-machine guns. The two, now corporals, said Lopez ordered them to go into the hotel and kill Viera and the "two other fair-skinned men who are not from this country."

Christ then led the guards to the door of the Salon de Las Americas and gestured toward Viera's table. After some hesitation, the two gunmen carried out their orders.

"They didn't have any qualms whatsoever about carrying it out," explained an American close to the case. "I don't think it (getting caught) ever entered their minds, really. There never would have been a problem about it if they hadn't killed an American."

But after almost three years of investigation and political maneuvering, the prosecution of the case against the perpetrators not only has stalled but has begun to unravel, sorely testing U.S. patience and influence.

Even after the political powerful Sol Meza and Denis Moran had been peeled from the case, the next ranking and well-connected officer, Capt. Avila, was not prosecuted, so he could be used as a witness against Lopez and Christ.

A Salvadoran appeals court this year upheld a lower court decision finding that there was insufficient evidence to charge Christ or Lopez with the crime. The case is being appealed by the Salvadoran attorney general to the Supreme Court on procedural grounds.

Though President Reagan vetoed the El Salvador human-rights certification resolution this month, Democratic congressmen say the issue will be revived in the next session of Congress, beginning in January.

But in El Salvador, those involved on the right can't understand American revulsion of their activities.

"Almost to a man, these people (the terrorists) can't understand the problem we have because they're out there killing communists," said a U.S. source close to the embassy. "These people are basically very, very pro-American. They have close ties to the United States."

And the underground ultra-right's entrenchment in the government of El Salvador has given U.S. policy-makers pause as they cope with the sometimes opposing objectives of winning the military war against the left and the internal war against the violent right.

"If you push this case (of the AIFLD labor advisers), you will destroy the Salvadoran government as it exists today," asserted one well-informed U.S. source.

"If you pressed it—the investigation—you would destroy the institution of the military."

#### A POLICEMAN'S INITIATION: "WE PUT TWO BULLETS IN HIS HEAD"

(By Craig Pyes)

The young policeman described watching the small group of self-important men coming and going at El Salvador's National Police headquarters. He said he knew what they did, even before he got a chance to go with them.

The men, called "especiales," were members of CAIN, he said, a Spanish acronym standing for the National Center for Analysis and Investigations. It is a special political intelligence unit located in the National Police headquarters.

"A small group that the captain has is the only one that knows about how it works," the young policeman explained. But, he said, "you can tell who they are, because they are always in cars..."

Then one day, "I saw how they did it. They took me with them so I could learn," he said.

Their specialty was summary execution. He said he and the *especiales* "were supposed to kill a businessman in a big house" in San Salvador. The man, he said, had been arrested by the National Police a week earlier, but the police had released him after he refused to sign a confession.

"But a week later we came out to get him."

The young apprentice said he waited in the small pickup while the others pulled the man out of the house. They were followed out by the victim's mother, who "came out screaming, 'Don't take him, don't take my boy!'"

"She kept screaming and screaming," he said, "But we blindfolded him. He was strong."

They put him face-down in the pickup, he said, and drove to another suburb. There "we put two bullets—.38-caliber—in his head." Then, he said, they drove back and dumped the body. The businessman was another victim of an anonymous death squad.

Until a few months ago, U.S. officials publicly called the National Police the most moderate of El Salvador's security forces. Its director, Col. Carlos Reynaldo Lopez Nuila, is a member of the government's Human Rights Commission and he has frequently been commended by U.S. officials for his attempts to professionalize his forces.

Lopez claims that a list of regulations is read once a week to his police to prevent abuses.

"Before, the people viewed us with a certain apprehension," he said. "But now they seem happy to see us... When we detain a person in the street, we get his phone number and call back to see how he was treated."

Despite Lopez's statements, human-rights groups received an increasing number of testimonials during the last year accusing the National Police of abductions, torture, detentions and killings of Salvadorans working in health care and church-sponsored relief activities.

During this period, the *Albuquerque Journal* learned, officers aligned with extreme right-wing leader Roberto D'Aubuisson achieved increasing power within its ranks.

Recent public comments by D'Aubuisson denouncing the head of El Salvador's largest peasant union as a "communist" are believed to have been based upon a National Police intelligence investigation leaked to the rightist leader.

U.S. officials who support the peasant union leader termed D'Aubuisson's comments "a beacon for the death squads."

After D'Aubuisson's most recent denunciations, coming in an upsurge of rightist violence, U.S. pressure was followed by the removal of three top police officials.

One of those transferred, criminal investigations director Lt. Col. Aristedes Alonso Marquez, recently was identified by U.S. embassy officials as one of the security force officers involved with death squads.

Another officer implicated in death squad activity is CAIN chief Lt. Col. Rafael Antonio Lopez Davila.

The situation raises questions about how deeply institutionalized is the violence.

National Police Director Lopez Nuila says some brutality is an unavoidable byproduct of civil war.

During an interview last year, Lopez Nuila replied to questions about violence in the internal security functions by saying he was puzzled at American disapproval.

"*El Fair play*," he said, using the English "in a civil war" *no se puede dar*. One can't give it. Nor is it given. War by definition is inhumane."

He conceded some of his officers might communicate with the death squads.

"When someone has an important bit of information, they don't want to consign someone to a judge. They want to eliminate him," the colonel said. He theorized that National Police officers perhaps passed information to private groups and to ex-agents who kill for pay.

Lopez Nuila also defended his agents' use of civilian dress when making arrests, saying that civilian clothes are worn to prevent recognition by suspects. But an agent in the National Police told a different story.

"Only in special cases do you use a uniform, because you don't always know if you've got the right man," explained the young detective who acknowledged being a death-squad veteran. "Sometimes you get very involved and you kill him."

On occasion, he said, the names of victims came from CAIN Chief Lopez Davila.

"He will tell his little group, and they tell us. We call it a commission. It's an order... We don't know whether it's a personal thing for him or whether it's a subversive," the detective said "When he gives the word 'shoot,' we shoot."

The young officer, who asked not to be named for fear of reprisals against his family, is no longer with the National Police.

From his first ride-along experience to when he left El Salvador, he claimed to have killed 16 people.

He said he first received a gun and credentials in 1980.

With that, he said, "you begin to feel powerful. Big... superior to a civilian... you can do anything."

If a new recruit rejected the torture which was part of all investigations, they would say "No *serve*"—he won't do.

Those who protested social injustice were suspected of being infiltrators.

When he killed for the first time, he said, it was to show his friends he could do it. He said there was nothing wrong with killing subversives.

His first victim was a woman.

She was a subversive, he explained, who was lying in a hammock with a pistol and some hand grenades. He said he made her get on the ground and turned her head to the side on the dirt, holding it steady with his foot. When he pulled the trigger, blood and bone flew up in his face and stained his shirt.

He said, "The next time I shot somebody, I put the gun close to his head so he wouldn't splatter."

Killing was not something he liked, he said, but it didn't bother him, either.

#### A CHILLING PLAN MAPS A TERROR ROAD TO RULE

(By Craig Pyles)

A group of diehard veterans of French colonial Algeria helped right-wing leader Roberto D'Aubuisson map a secret plan for a campaign of terror aimed at seizing control of El Salvador's government.

The plan was drafted in Guatemala in April and May of 1980, D'Aubuisson said, when he met with former members of the French Secret Army Organization (OAS) who had been contacted by "Salvadoran millionaires."

D'Aubuisson said he and his French consultants laid out a political and operational strategy of counterterror adopted from techniques OAS developed in its struggle against Algerian nationalists in the late 1950s. The OAS veterans also had served as advisers to the ultra-right-wing National Liberation Movement (MLN) in its bloody anti-guerrilla campaigns in the 1960s.

After the October 1979 coup in El Salvador by a group of reform-minded young military officers, D'Aubuisson and other Salvadoran rightists moved to Guatemala and began working closely with the MLN in regional "anti-communist" paramilitary operations, including attacks on officials of El Salvador's U.S.-backed government.

D'Aubuisson's plan outlines organizational and operational guidelines for assassinations, kidnappings and military assault teams, to be coupled with a political organization engaged in international diplomacy and public relations.

D'Aubuisson called it "a good plan," based in part on "how we have been operating from October 1979 to May 1980." The Salvadoran leader never said how much of the plan had become operational, acknowledging only that "later the initial idea that we had seized on in that document became more consolidated." He added that it contained the organizational diagram that resulted in the Nationalist Republican Alliance (ARENA).

The document was seized from D'Aubuisson's attaché case during his May 7, 1980, arrest at a farmhouse northwest of San Salvador by forces loyal to Army Chief of Staff Col. Adolfo Arnoldo Majano, one of the army officers D'Aubuisson was working to overthrow. The plan—a copy of which has been obtained by the Albuquerque Journal—was among a number of compromising documents seized at the time.

The others included a datebook containing the names and addresses of right-wing businessmen and military officers and records of payments to active-duty army officers, for weapons, notations of meetings, vehicles, prostitutes and safe houses.

"I believe this is a whole terrorist plan—it was a miracle to have captured this," said Majano. "Everything that was planned in this has come to be in these past years . . . the kidnappings, the dragging people out of their homes at night. It's all here."

Though the datebook was shared with authorities in the United States, U.S. officials claim they were never given a copy of the D'Aubuisson plan.

(The Journal obtained its copy from Heather Foote of the Washington Office on Latin America, a non-profit organization that monitors human-rights developments for church, press and congressional committees.)

The paramilitary organizational structure described in the document resembles a political death-squad network that U.S. officials today say is linked to D'Aubuisson's ARENA and high-ranking military officers strategically placed in intelligence sections of the Salvadoran security forces and army commands.

Some of these officers were among those arrested with D'Aubuisson at the farm, but all were released quickly "for insufficient evidence" by a military commission.

A few days after D'Aubuisson's arrest, seven of El Salvador's most notorious death squads issued a proclamation announcing their unification under the banner of the "Secret Anti-Communist Army" (ESA)—one of the death squads operating in El Salvador today. The proclamation called for joining the extreme right's political groups with the military death squads, as outlined in the plan.

After his release, D'Aubuisson sent an explanatory letter to a member of the high command, asking permission to put the anti-guerrilla plan into effect. The Journal was allowed to see a copy of the May 25, 1980, letter, which is in the private files of a close D'Aubuisson associate. The letter concluded with an appeal to the Armed Forces Command for help and protection to "develop an anti-communist campaign in the country that is quite similar to that carried out in Guatemala, (a campaign that) would not signify any embarrassment for you because we don't plan to leave any tracks in that campaign."

D'Aubuisson publicly has denied any involvement with Salvadoran death squads.

The plan is the most significant documentary evidence so far to link the Salvadoran nationalist and his supporters to the planning of paramilitary terrorist groups.

It illustrates how terrorist actions could be carried out by tightly controlled but seemingly independent death squads which display no visible ties to either the military or political organizations.

The story of the document was gleaned from Journal interviews with Salvadoran and Guatemalan rightists who were involved with D'Aubuisson and the former OAS operatives.

Those operatives were veterans of the same organization popularized in "The Day of the Jackal," a fictionalized account of an attempt on the life of the late President Charles de Gaulle of France. They were specialists in economic analysis, propaganda and military operations.

D'Aubuisson said they also had advised anti-communist groups throughout Latin America and helped opposition forces in Chile overthrow the elected leftist government of Salvador Allende Gossens.

At the time the plan was drawn, Salvadoran rightists believed Marxist infiltrators in the Christian Democratic civilian-military junta were preventing the government's security forces from vigorously pursuing the battle against subversion.

Some of D'Aubuisson's OAS advisers came from Paris, others from South America, said a Salvadoran close to the operation. They

were very "tight-lipped more professional, more serious," he said, than other foreign advisers they had contacted.

He said the French had been promised funds to establish a commando school in Guatemala, including "weapons, and bullets, and arms and uniforms, and all those implements that are used to train people to be commandos," but the funds were not delivered.

D'Aubuisson said that, before meeting with the French, he received assurances from friends in Argentina and France that "they were honorable, motivated, trustworthy and that they had a lot of experience in these things."

"I laid it out to them how we had been working from October 1979 to May 1980," D'Aubuisson said, "how FAN (the Broad Nationalist Front, a right-wing civilian coalition he headed) was organized, what we had managed to achieve in these few months and what kind of economic help we had, with what infrastructure—that was my idea with respect to making political war."

"Then they told me that all we had done was good, that we were knowledgeable about our cause, but they recommended that I be more specific. Then they explained to me about the guerrilla war in Algeria," he added.

D'Aubuisson said the French advised the Salvadorans to form an organization which would operate independently of the government. "What we had to do was not to wait for the politicians to give the orders," D'Aubuisson explained.

At the top, according to the plan, would be a political directorate and a general staff made up of representatives of the military and right-wing civilians.

The general staff was divided into four departments and a chief of combat operations:

One department was charged with collecting funds through its agents and accounting for the expenditures.

The description matches the datebook seized during D'Aubuisson's 1980 arrest.

Another department had responsibility for "psychological action," which was defined as maintaining liaison with international support groups in Europe, South America and the United States, and distributing analysis and propaganda to local and international media. The press, the plan advises, "will be manipulated intelligently," suggesting "getting close to journalists, paying them, exploiting their professional ambitions. . . ."

The department of "Mass Organization" would be a civilian group to oversee food supplies, provide hideouts, distribute leaflets and obtain identity papers for the rightists. The civilian groups also would serve as an intelligence net, turning in the names of "subversives" to the brain of the organization: the Department of Searches and Information (DBI).

DBI's functions were to collect and analyze data and to direct the combat networks. The plan calls it "the point of the spear" in the anti-guerrilla war. Only the highest officers of the organization were to be allowed direct personal contact with DBI.

The director of combat would operate out of DBI. He would be the top of an organizational pyramid delivering orders to cells through post office box safe-drops down through its levels of command to individual combat cells of three soldiers each.

The DBI also would direct its urban combat units in assassinations, ambushes, military-type assaults, kidnappings, fund collection and sabotage.



For the countryside, the document prescribes guerrillas in heavily armed small groups to disrupt the "red gangs" in their own territory, while trying to win over peasant families "in their tiny little towns" with gifts of money and food.

The actions of the urban and rural guerrillas would have to increase gradually, the plan says, until the organization's support in the armed forces was sufficient to seize power.

During the Algerian war, French soldiers who joined the OAS operated in secret terrorist cells against the Algerian nationalist movement, even as the French government was working to reach a political accord for Algerian independence.

The politicians, the OAS believed, had betrayed France in surrendering Algeria to the nationalists, and it vowed to kill De Gaulle and bring down his government.

But, after more than half a dozen failed attempts at killing the French president, the OAS was broken up by French intelligence agents.

Members of the secret terrorist organization dispersed, some to South America to become military advisers in the international anti-communist movement.

In the mid-1960s, at least one of the officers who worked with D'Aubuisson was in Guatemala to coach the MLN.

The MLN carried out a counterinsurgency campaign similar to that later waged in El Salvador, using techniques that became the model for the Salvadorans.

[From the Albuquerque Journal, Dec. 20, 1983]

**"THE DOCTOR" PRESCRIBES TORTURE FOR THE HESITANT**  
(By Craig Pyes)

They called him "The Doctor." Some likened him to "Larry" of "The Three Stooges," with his high forehead rising into a jumble of curly hair. A black, decayed front tooth showed when he smiled.

But behind that countenance, his colleagues said, resided the mind of a genius.

His fame as a practitioner of the specialty of extracting information was known throughout Latin America, particularly in his native Argentina.

What made The Doctor so famous was his technique, said a cohort.

He told how Argentine authorities once asked The Doctor to apply his skill to the "biggest of (leftist) bigwigs" they had captured. The prisoner "was a very sick man. He had a heart that was about to give in. He has a pacemaker, the whole thing."

And The Doctor was able to interrogate him with convulsive electric shocks "for something like 24 hours, and the guy never died on him!"

The Albuquerque Journal learned that The Doctor was among a group of foreign advisers invited to El Salvador three years ago to train and supervise Salvadoran security forces in a program of interrogation involving torture and death.

They were invited into the country by high-ranking officers of the National Guard, after an initial contact by rightist leader Roberto D'Aubuisson.

The activities of the Argentines in El Salvador are one of the least-talked-about aspects of the entire war.

The trainers were part of a sensitive Argentine military intelligence operation headquartered in Honduras. Its mission there included tracking down Argentine leftists who had escaped to Central America, conducting intelligence and advisory ac-

tivities with regional anti-communist groups and directing sabotage and assassination missions against Nicaraguan and other leftist targets.

The Argentines' assignment in El Salvador, D'Aubuisson said, was to establish safe houses for working with and training intelligence officers of the National Guard.

Aides close to D'Aubuisson said the interrogation techniques practiced by the Argentines were so brutal that the aides feared to go near the houses.

"I never went. I wouldn't. You knew they were killing your own people," said one D'Aubuisson intimate.

The safe houses were secret strongpoints immune from interference by Salvadoran authorities and untraceable to their users.

Neither the United States nor Argentina has acknowledged Argentine assistance to the Salvadoran security forces, which have been blamed for the majority of the more than 40,000 civilian deaths since the start of the Salvadoran civil war.

But a 10-month investigation by the Journal into rightist violence in El Salvador, which included interviews with Central Americans close to the Argentine operations, confirmed the Argentines' presence. It further confirmed that they had been recruited through an international anti-communist organization, with ties to neo-Nazi movements in Europe and South America, to train Salvadorans engaged in a virtual war of extermination against the leftist opposition.

A National Guard building visitors' register produced in an investigation into the January 1981 slayings of two American labor workers and the head of the Salvadoran agrarian reform program indicated that about eight Argentines had been in the building.

Salvadoran sources said the advisers had been working in the country in November and December 1980, just before the slayings. The sources were careful not to mention specific assignments inside El Salvador, but National Guard participation in the killings of two Salvadoran priests and four American churchwomen occurred during that period.

The commander of the National Guard at the time was Gen. Carlos Eugenio Vides Casanova, now El Salvador's defense minister.

The National Guard ordered the advisers out of the country after one of them allegedly stole a large ransom he was hired to deliver by a prominent Salvadoran family.

Within 15 months of their arrival in Central America, five of the advisers were reported killed in internal feuds. Rightist sources said some of the survivors went to Honduras in 1981 to aid U.S.-supported rebels trying to overthrow Nicaragua's leftist Sandinista government.

The Argentines originally were contacted by D'Aubuisson in September 1980 in Buenos Aires at a congress of the Latin American branch of the Taiwan-based World Anti-Communist League (WACL), an ultra-right-wing international organization.

D'Aubuisson said he put them in contact with senior officers of the Salvadoran National Guard who invited them to El Salvador.

The Argentines had impressed the Salvadorans by their success in defeating their own Montonero guerrillas a few years before.

"Here they are, professionals who had come to teach the Guardia Nacional how to do things," said one Salvadoran rightist who

knew the advisers well. "The Argentines are the only ones in the world who fought an urban guerrilla war and won it. So they're just recognized naturally as the best."

In El Salvador, the program was never as coordinated as in Argentina, where the central government directed "wholesale captures, full-fledged detention camps. . . . Any Argentine would have thrown up his hands at the Salvadoran operation," said one U.S. military expert.

The Salvadoran operation centered around the National Guard, which functioned as one of the military arms of the Salvadoran right, and about 100 civilian supporters. It was loosely organized in a very conservative business and civic coalition called the Broad National Front (FAN). The coalition, formed by D'Aubuisson, later became part of the Nationalist Republican Alliance (ARENA), El Salvador's largest right-wing political party.

When the Argentines arrived in El Salvador, small groups of civilians were organized to support their activities.

"The idea was to work in cells like the communists work," explained a middle-aged businessman close to D'Aubuisson. He related how one day The Doctor showed up at his house to interview him to see if he was "de confianza"—trustworthy.

"My general ideas were their general ideas," he said.

He said he was chosen to start a group which functioned as a virtual death caucus, compiling and checking out suspicions about employees, school teachers, neighbors.

"Once in a while we would get a hit," he said. The "subversive" would be abducted and taken to a safe house for interrogation.

In each house, D'Aubuisson said, "there would be two or three persons from the National Guard" working with the Argentines who supervised the operation and taught them how to analyze information.

But, according to members of the civilian cells, the Argentines also taught the Salvadorans more efficient methods of extracting the information.

They taught the National Guard the right way of doing things "without being medieval about it," said another Salvadoran who knew the advisers personally.

"The Guardia (had been) using all these stupid methods of dunking you in water . . . and beating you up—the old methods," he explained with a touch of contempt.

They used the "capucha," a hood filled with powdered ant poison and tied over the prisoner's head. And they used the "aviador," tying the prisoner's hands behind his back and then hoisting him off the floor by the hands with the rope through a pulley.

But the Argentines, he said, taught their Salvadoran disciples how to temper this brutality with psychology, to make the prisoner feel weak and impotent, rather than increase his resistance by making him angry.

This was accomplished by emphasizing the prisoner's sense of isolation, he said. The prisoner would be tied to a chair and left naked, blindfolded and alone for hours with the air conditioning turned up. Then the first interrogator would come in and try to coax the information from him nicely.

But if the prisoner didn't respond to the psychological approach, "somebody would come in and tie him to a little iron bed or whatever the hell and give him electric shocks until he decides to talk," he said.

Even those who supported the Argentine method as "the only way" to defeat the

communists wondered where the chains of suspicion and murder would end.

According to former Christian Democrat minister Hector Dada Herezi, the National Guard had been instructed in an Argentine manual on counterinsurgency war to "liquidate all those who could bear a grudge against you."

The proposed list of victims, according to both leftists and rightists, originally included everyone in a guerrilla's family, as in Argentina.

"But here we can't do that," asserted Alicia Llovera, a fervent rightist who has known D'Aubuisson since his infancy. "I have a cousin, for example, who is a communist. But can they kill me? No. This country is too small. Everybody is related. We'd all be dead."

The Argentines' skills came from what they called their "dirty war" in the mid-1970s, that had as its objective the extermination of even the seed of leftist opposition.

Human rights groups estimate that between 6,000 and 15,000 Argentines still are missing from the military insurgency campaign.

"The Argentines fight on the same level as the guerrillas," explained a former member of a Salvadoran paramilitary group. "When they work tough, they work tough. There's no other way."

The young rightist commando told the *Journal* that the Argentine method was to conduct essentially an "intelligence war."

The cycle begins with interrogations and follows a geometric progression of torture and death, building upon each level of extracted information.

"You get one (guerrilla), you get three; you get three, you get 10; you get 10, you get 50. You are not just shooting whoever comes along, but are going to the heads," the young rightist said.

The interrogations are followed by "cleaning operations," explained another of the Salvadorans in a separate interview. "It's very bloody and very unfair. . . . When you get the information you have to get rid of these people. That's how stuff like (the movie) 'Missing' comes about."

The Argentine advisers in El Salvador reported to a Col. Villegas, who was part of the Argentine command attached to the Honduran military general staff, said informed Salvadoran sources.

Villegas was charged with organizing Central American rightist groups for terrorist attacks against Nicaragua, according to an Argentine defector.

Among the paramilitary groups organized by Villegas' command were squads of ex-Somoza guardsmen who had clustered around ultra-right-wing National Liberation Movement (MLN) leader Mario Sandoval Alarcon in Guatemala and D'Aubuisson's organization in El Salvador.

One Salvadoran said the Argentines were supplied false passports by their own military intelligence and made to understand "before they came, if something happened to them, the Argentine government would not help them at all."

D'Aubuisson called them "self-financing" volunteers. Others said they financed themselves by kidnapping members of wealthy families and then blaming the kidnapping on the left.

Such allegations may explain the disappearance of The Doctor, together with another Argentine adviser and a friend in Guatemala on Jan. 29, 1982. The three were reportedly executed by Guatemalan security forces after being denounced by a competing Argentine intelligence service.

Many of The Doctor's associates reached an equally violent end:

In December 1980, an Argentine adviser named Jorge was slain in El Salvador, allegedly on orders from another of his group who had absconded to Miami with a \$500,000 ransom he was hired to deliver.

Then another Argentine adviser, Emilio, was killed because his comrades thought "he had been in cahoots" with the one who stole the money, said a Salvadoran who said Emilio was his friend.

The last of the Argentines left shortly thereafter.

Although some Salvadorans interviewed were disillusioned by the killing, most still maintain that the Argentines were motivated by a great spirit of anti-communism and an idealism that superceded the drive for monetary gain.

Most of the Argentines were said to be members of a neo-fascist splinter group of Argentina's Peronist Party. That group tended to see Latin America "like Germany before the rise of the Nazis" and preached a "guerra santa" or holy war against communists.

"For them," explained one Salvadoran, "the bad guys are the Jews."

A number of the Salvadorans and Guatemalans expressed sympathy for fascist doctrines, but many were uncomfortable with the anti-Semitism.

Some Salvadorans think the Argentines' stay in El Salvador was not all bad. When asked what they had accomplished, D'Aubuisson said that though they were in El Salvador only a short time, "this time was well spent."

One young Salvadoran went further, saying the National Guard "liked the system so much that, even after the Argentines left, they kept doing it. . . . I think they still do it," he said.

[From the *Albuquerque Journal*, Dec. 20, 1983]

TO THE BROTHERHOOD, REDS INFECT EVERY NICHE OF EL SALVADOR

(By Craig Pyes)

When there is a pointing out of a 'communist,' there is always a fanatic who will kill him."

—Morales Ehrlich, Salvadoran Christian Democratic Party leader.

It is as easy as calling the exterminator.

Only the targets are human. They're neighbors, cousins, business rivals or former friends.

They're teachers, medical personnel, union members, land reformers, refugee camp operators, priests, nuns.

They are, above all, in the eyes of some Salvadorans, "subversivos"—those accused of helping the communists.

The violent right wing's rules of the game are clear: identify your enemy, probably he will die.

More than 40,000 civilians have been killed during four years of civil war. But a fact-finding mission from the New York Bar Association could not find a single case in which either a Salvadoran civilian or military court had sustained charges against any member of the security forces or their civilian allies for killing, torturing or kidnapping anyone alleged to be a subversive.

The problem bothers U.S. policy-makers. By virtually all credible accounts, those responsible for the vast majority of the deaths are from the pro-American segment of Salvadoran society.

"I think that we're making some progress in narrowing the universe of people it is

okay to kill," said a high State Department official, defining the permissible universe as "active combatants within the guerrillas."

But, State Department officials hasten to add, things could be worse if El Salvador's fragile coalition government breaks apart and the extreme right takes complete control. In that event, an even worse bloodbath could follow.

During 10 months of interviewing leading members of the ultra-right-wing Nationalist Republican Alliance (ARENA), there emerged a startling profile of who is considered a communist subversive.

ARENA party members consider themselves experts on the subject, and many of those interviewed referred to a deep spiritual bond of anti-communism they share.

They call it "la mistica."

The concept is difficult to translate into English, but those who had *la mistica* included the original underground cells of right-wing collaborators who started the party, members of the outlawed rural paramilitary organization ORDEN and a group of South American secret police who advised the Salvadoran military on interrogation and torture techniques.

"You have to be in it to feel it. It's like a brotherhood," explained Guillermo "Billy" Sol, a party founder. Together, he said, the inner core of ARENA risked the odds trying to accomplish its goals of free elections, free enterprise and getting "rid of the reds."

Billy Sol, like most ARENA leaders, had his own list of reds. But unlike others in the party linked to the death squads, Billy Sol figures actuarial odds on the survival of his friends and enemies. Billy Sol sells life insurance in a company run by another of ARENA's backers.

"We choose very carefully who we're going to insure," he said. For example, agrarian reform workers are uninsurable.

Residents of certain guerrilla-infested areas of the country, such as Morazan and Chalatenango, are uninsurable. "The Christian Democrats were never insurable."

With Salvadoran presidential elections set for next March, hopes of a viable coalition government are not encouraged when ARENA, El Salvador's second-largest political party, considers El Salvador's largest party—the Christian Democrats—the same as the communist enemy.

"The Christian Democrats are communists," explained ARENA leader Roberto D'Aubuisson during an interview with the *Albuquerque Journal*. By his definition, "Communists are those or that which directly or indirectly aid Soviet expansionism." He said the collectivist policies of the Christian Democrats fell into this category.

D'Aubuisson's view of the Christian Democrats apparently as shared by members of a local death squad calling itself the "Secret Anti-Communist Army" (ESA). This spring that group dumped a body in a San Salvador hotel parking lot with a typed warning to a Christian Democratic assemblyman that he, too, faces "the same penalty as the civilian and military individuals who collaborate in a direct or indirect form with the communist guerrillas."

In 1980, the ESA published a list of those it termed communist subversives deserving extermination. It included "all the heads of the Salvadoran Communist Party, all international agents responsible for murders, all junta members involved with leftist groups, all leaders of popular and guerrilla organizations, all common murderers, thieves, assassins, rapists, pickpockets, homosexuals, prostitutes, drug addicts, false priests, mili-



tary traitors, shameless lawyers, poisonous professors, officials of corrupt governments, unscrupulous moneylenders and all the good-for-nothing pus of El Salvador."

Also high on the list of subversives, D'Aubuisson said, were the Jesuits, who were "the worst scum" of all.

Francisco Guirola is one of the original young rightists who banded with D'Aubuisson and who acquired la mistica in Guatemala. He said one can recognize a communist because "eventually their ideas come out, and they're not your ideas."

One high ARENA official described himself as an expert in identifying communists.

"I'll tell you one thing, I never missed," he said. "On two or three occasions I was given information on very close friends of mine who were involved in the communist movement. One of my friends, it turned out, was against free enterprise—talked about social injustice, private property being taken away (land reform)."

He explained, "If you investigate people like we did, you find everybody has some communist ties if you look for them hard enough."

And, he said, "We have investigated everybody."

When he said everybody, he meant everybody. He had even investigated D'Aubuisson before getting involved with him.

D'Aubuisson passed the test, he asserted.

[From the Albuquerque Journal, Dec. 21, 1983]

#### THE BUSINESSMEN INVEST IN THE MURKY SIDE OF WAR (By Craig Pyes)

The young government worker removed his coat to make himself more comfortable, lifted the gun from his shoulder holster and removed the pistol tucked in the back of his belt.

He explained how he and his "boys" had made repeated attacks against the Jesuit-run Central American University (UCA), had bombed the Catholic radio station that broadcast the homilies of slain Archbishop Oscar Arnulfo Romero, and had sprayed the Nicaraguan Embassy with machine-gun fire. After each attack, they had left communiques crediting their actions to El Salvador's secret anti-communist armies.

The young man was a longtime veteran of the movement. He had lived underground in El Salvador and Guatemala with Roberto D'Aubuisson in the early days.

He was one of D'Aubuisson's top civilian lieutenants during the terrorist phase of the ultra-right movement in 1980 and 1981.

Last year the young man, Gato (a pseudonym), talked to the Albuquerque Journal about his terrorist activities.

"I think they (death squads) have done a good job," he said, although he doubted the killing by itself could bring about the desired goal of rightist domination. The terror organizations had been dormant for nearly a year.

But, Gato warned in 1982, the death squads are "going to begin again."

A few months ago, Gato's prediction came true. Organizations calling themselves the Maximiliano Hernandez Martinez Anti-Communist Brigade and the Secret Anti-Communist Army reappeared. They initiated a fresh wave of kidnappings, bombings and assassinations against trade unionists, religious leaders and those who favored economic reforms and negotiations with the left.

These new acts of rightist political violence have been decried by the U.S. State

Department as "doing more to destroy El Salvador than the communist guerrillas could ever hope to accomplish."

The origins and personalities behind this right-wing terrorism have been little explored. A recently declassified U.S. analysis termed rightist terrorism the most elusive, shadowy and murky of all the myriad forms of Salvadoran violence.

More than a dozen participants in this paramilitary underground were interviewed during a 10-month investigation by the Journal. The investigation traced the responsibility for many of the terrorist acts to a civilian-military network that formed following the 1979 young officers' reformist coup and later evolved into El Salvador's second-largest political party: the ultra-right-wing Nationalist Republican Alliance (ARENA).

D'Aubuisson is the undisputed leader of ARENA, which nominated him Sunday to be the party's candidate in the presidential elections next March. He was named leader of the Constituent Assembly in March 1982, when ARENA captured about 25 percent of the vote. Tuesday he resigned that post to pursue his campaign for the nation's presidency.

Those interviewed included top party officials and close associates of D'Aubuisson. Some spoke candidly about their deeds, describing the genesis of the paramilitary underground and their personal motivation for joining it. They outlined its structure of secret cells and explained why and how victims were selected to die.

The roots of the current paramilitary underground were formed in civilian vigilante groups, but the underground later spread back into the military.

At the beginning, explained one foreign military expert close to Salvadoran death squads and the National Guard, the death squads generally were composed of about 75 percent civilians from the professional ranks. The military minority generally retained command, however. In mid-1980, after the military was purged of reformers, insiders said death squads became 90 percent military.

The story of the deadly patriots begins with the oligarchy and its sympathetic middle class who, after the 1979 coup, found they had lost the use of the army to defend their interests.

They said their choice was simple: to stay and fight or to leave El Salvador. Since most lacked the financial resources to live comfortably in another country, their choice was that much easier.

But most believed they had to do something because they believed the military lacked the motivation, discipline and skill to successfully challenge the guerrillas and terrorists of the left. The civilians organized around the principle that the only way to fight terror was with more terror.

"You have to live (with terrorism) to understand it. You have to suffer the effects of terrorism to realize you have to act the same way against them," said Gato, whose bombing career began while he was a member of El Salvador's Chamber of Commerce.

Gato said he worked in two cells, whose members were of different age groups and didn't know each other. They drew their members from the upper-middle and middle classes of El Salvador, most of them American-educated and fluent in English. He said he had "25 guys" who were on call and who sometimes did actions on their own.

"I organized them," he said. "I don't know if anybody was hurt (by his group's oper-

ations). I know some people left the country."

Alonso (also a pseudonym) is a close friend of Gato and typical of those who joined the clandestine organizations. He was a member of the same military group which worked with D'Aubuisson in the underground following the coup. Like all the participants in this story, he was interviewed separately from the others.

Alonso was in his late 20s and had studied business administration in the United States. In his own eyes he saw himself as one of the shock troops of the counterrevolution.

When he returned home in 1979, he found that El Salvador's leftists were in the ascendancy. The communists had occupied the churches and turned them into forts, he asserted. They struck against businesses, so no money was coming in.

The military stayed in its barracks, so the disorder kept increasing.

To go to work, Alonso said, he had to drive through downtown San Salvador, but the demonstrators blocked his way. He stopped going to work. There seemed nothing he could do, nobody to turn to.

The country seemed to him to be "falling apart," and he was afraid. That fear turned to a "deep anger coming out of your gut," he said, until "something inside you clicks very softly and says, 'By God, I'm not going to take that any more!' All of a sudden something sends you very cleanly and very precisely over the edge."

He began reaching out to friends, people who thought as he did.

A few months later, Alonso was admitted into Gato's group.

"We all went out and bought uniforms and Marine boots and camouflage outfits, and training books on how to do commando raids—and ski masks," Alonso said. They were promised military training by the National Guard.

There was no big organization, he said, just a multiplicity of groups.

The groups never were organized as tightly as the left's, said another member, because they were all from private enterprise and "used to competition. We don't trust each other enough," he said.

Estimates vary, but those involved say they knew of, at most, about 100 civilians organized in about a dozen militarily active cells. Later, those cells joined the political movement that formed around D'Aubuisson.

"Say I live in San Benito and I form the Maximiliano Brigade, and somebody else forms a different group in Escalon. That's the way it started," said Alonso. "Roberto (D'Aubuisson) had his group together, and we had ours."

One former ARENA officer said when his group formed he was escorted by a banker to a "safe house" in San Salvador to obtain weapons. At the house, D'Aubuisson was meeting with another group. It was two blocks from the U.S. ambassador's residence.

"Everybody sort of did their own deadly thing," recalled one U.S. diplomat. The groups aligned with D'Aubuisson's group "probably took out the church."

"Major Bob and his merry band," We used to call them," the diplomat said. They "took out the UCA (Central American University) library and faculty quarters."

The Catholic radio station also was bombed.

"The first time they didn't do it right, so they went back," the diplomat said.

"You do it, because who the hell else is going to do it?" declared Gato.

"We just wanted to do some acts of terrorism. So we started with UCA."

The elite, Jesuit-run Central American University is where most of the young right-wing terrorists had gone to school. They now blame it for spawning the guerrilla movements of the left.

The terrorists started with the computer center—the jewel of the university—which they blew up, he said, because they thought "it had communist names in it."

Fifteen days later they returned to their alma mater and shot up the residence of the Jesuits. Nobody was injured. Gato chuckled. "I wonder where they hid?"

Gato said he had been involved personally in at least 30 separate terrorist attacks—many of them made to seem the work of the secret death squads by leaving fliers at the scene. His targets included newspapers, radio stations, churches and secular church properties. In general, he believed the right-wing terrorist offensive had been successful.

He boasted that on some nights one might hear as many as 20 bombs going off in San Salvador. The targets were buildings, usually the homes or businesses of moderates or leftists.

The bombs, bullets and Molotov cocktails were warnings to the inhabitants.

"When your front door blows up . . ." said Gato, "you choose to move or you change your strategy."

Some interviewed were uncertain if any of their actions had killed anyone. They made a distinction between bombing a house occupied by suspected leftist terrorists and going out with the specific intention of killing someone "because you have the information."

The premeditated taking of a human life was a threshold each of them faced. Many in Gato's group seemed hesitant about crossing it. Not Gato.

"I'll tell you this, I have never killed anyone yet, but I wouldn't mind," said Gato. "Communists tell you this: 'I have nothing to lose except my life.' I feel the same."

To kill someone meant graduation to a higher rung in the hierarchy of terror. Some civilian death-squad members were idolized by the young terrorists for having reached a consummate professionalism like a James Bond, capable of killing in a "clean way."

These belonged to the much admired and imitated escuadron de la muerte or "EM," the collective title (Spanish for death squad) under which about a half-dozen groups took revenge on the left.

"They found real guerrillas . . . and captured them, and put a single bullet through their heads," Alonso said. "'You're a communist,' they would say, and boom: they would shoot them, and throw them out in the road somewhere. The next day, everybody would know a communist was dead."

In the summer of 1981, there was a variation. The bodies of more than 80 beheaded youths were dumped at the outskirts of Santa Ana, El Salvador's second-largest city. The heads had been neatly severed, not hacked off.

"I don't want to believe they were really doing that," Alonso said. "They must have shot them first. At least, I hope they shot them first."

Alonso said he had been "proud" to meet some of the real professionals, like a former ARENA party manager, Constantino Rampone, who was described by Journal sources

as one of the most important civilian death squad leaders before his own death by heart attack.

Rampone, a middle-aged civil engineer, had been a founder, financier and arms supplier for Salvadoran death squads and a liaison between civilian and military groups in western El Salvador. In the opinion of those interviewed, Rampone was far more effective and involved militarily than D'Aubuisson, who they said was given credit for things he didn't do.

Members of Gato's group said they became acquainted with Rampone in 1979 and just "started talking about same things."

They met in his office, which they described as being "like a strongbox, with thick steel doors and grenades."

"People would listen to him about the ways things should be done," said Alonso, who described the middle-aged businessman as having a unique outlook gained from being a former member of the Hitler Youth in Europe. "That was like a credential saying he was anti-communist."

Rampone used his wealth to finance his own groups and his factory to produce weapons for others in the paramilitary network.

Rampone's own commando group was made up of hotel owners, doctors, lawyers and, conveniently, a funeral parlor owner.

Parts of Rampone's operation, Journal sources said, may still be in place.

Members of these groups referred to their activities as "intelligence operations."

One businessman who worked closely with Rampone and D'Aubuisson talked about his activities as a civilian death-squad member. For purposes of this story, his name will be Gordo.

Gordo is a family man whose children attend Catholic school. By profession he is an engineer. He said his specialty was explosives, particularly how to prepare blasting material when dynamite was scarce.

He described himself as the leader of a group of five young people, "you've probably seen around the (ARENA) party." Besides his group, he said, he personally knew of only eight to 10 other civilians who could legitimately be considered members of death squads.

The squads had leaders, he said, but did not respond uniformly to leadership.

"Roberto (D'Aubuisson) never has controlled his group; I have never controlled mine," he said.

When asked how a person was chosen to die, Gordo cited the example of a union member who might arouse suspicion if he exhibited too much influence, or spoke out of line, or was too involved in organizing.

When somebody came under suspicion, he said, members of the groups compared information, trying to gauge the suspect's anti-communist sentiments, who his associates were, who he came to meetings with.

"If somebody was too far involved, there was only one way to get him out of the picture." And that, Gordo said, "was to get him out of the picture."

Once, he said, he "had orders to kill" Ernesto Rivas Gallont, El Salvador's ambassador to the United States.

The attempt, which took place while Rivas Gallont was jogging near the Central American University, was made under Salvadoran military protection, said Gordo. The police were there to "show their IDs and say 'It's OK, they're with us,'" in case the operation was interfered with by officers unaware of the plot.

The operation involved four cars, among them a Toyota panel truck with sliding doors so "it would have been easy to grab him by the hair and pull him in" as he went jogging past. But on the appointed day, Gordo said, Rivas Gallont was "running against traffic for safety's sake," and the conspirators couldn't get to him.

The ambassador returned to the United States a few days later, he said.

Contacted in Washington last week, Rivas Gallont said he was unaware of the attempt but had often jogged near the university.

"But I won't do it any more," he said.

Although Gordo termed Rivas Gallont a personal friend, he said he had no qualms about carrying out the orders to "kidnap and eliminate" him. It was not because he thought the Salvadoran ambassador was a guerrilla, he said, but because he believed he was an intellectual and posed more of a threat than the person carrying the gun.

And once one is involved, he said, "you can't back away. If you do that, then you can't expect anyone else to go through with it, either."

Gordo got in it for revenge. His first terrorist action was a retaliatory attack against what he called a guerrilla safe house. Everyone in the house was killed.

"Anybody in that house, to me, was an enemy," he said. "I'm not going to say it was right. I'm not going to say it was wrong. War is war."

But after the first time, he said, it was easier.

Nobody likes to do it," he admitted. "After you do it . . . you go out and get a couple of drinks and get drunk. For three, four or five days I wouldn't talk to anyone. I didn't like anyone to know I'd done it."

"Like my children. Yet I know they knew it. I suspect that they knew, because I'd be gone for a night and they'd know an attack was carried out, and I'd come back the next day and grab some clothes and walk out."

#### "A REGULAR AMERICANO" JOINS THE KIDNAPPERS

(By Craig Pyes)

Salvadoran right-wing activist Mario Redaelli was four months old in 1932 when rebellious peasants dragged his father from the house by his thumbs and tortured him for 18 hours in the streets before killing him.

Since then, half a century has passed, and civil strife is still rending El Salvador.

And though most of Redaelli's life over the intervening years was spent in the United States, indistinguishable from that of an American youth, the violence of El Salvador's civil war pulled the adult Redaelli right back into the Salvadoran struggle that took the life of his father.

Late one night last year, Redaelli, the 48-year-old former high official of Roberto D'Aubuisson's Nationalist Republican Alliance (ARENA), described the acts of political violence he committed on behalf of his ultra-right-wing cause.

"I have kidnapped," he admitted, during a wide-ranging interview with the Albuquerque Journal in his San Salvador home. "Even people of my own social circuit," and "sacrificed . . . so fewer may die."

The words came softly from the more-than-six-foot, nearly 200-pound businessman, whose fluent English was punctuated with American slang.

On the bookshelf in the well-appointed living room lay a black AR-15 automatic



rifle; on the nightstand in the bedroom a .45 and a hand grenade.

In the late-night interview, Redaelli said his views are typical of the "hard core of ARENA," a party itself considered hard-core in El Salvador's spectrum of political parties.

After the March 1982 elections, the military imposed relatively moderate Alvaro Magaña as president. Redaelli stormed out of the Constituent Assembly chamber in response, calling D'Aubuisson a traitor for acquiescing to the compromise.

Until then, the American-educated construction engineer had served as D'Aubuisson's spokesman to the English-speaking media.

"Roberto and I are very close," Redaelli said. "He has lived here (at Redaelli's house) for months and months. We have hidden together." But shortly after the "traitor" remark last year, Redaelli quietly left his party post. Insiders said his public comments tended to make policy rather than interpret it.

Redaelli's motivating preoccupations have alternately been fighting communism and making money, reflecting his childhood in the post-World War II United States and his experiences upon his return to Central America.

He says he graduated from Hollywood High School in California in 1948, and he jokingly refers to himself as "a regular Americano" and "a real gringo."

And just like a gringo, he says, he used to spend his time thinking only about his credit rating. On his left arm is a tattoo of an American eagle alighting on the shield of the U.S.A.

But U.S. authorities are somewhat wary of his political fervor. A U.S. Customs check showed Redaelli is listed as a suspected terrorist who has threatened the life of an American official and is considered persona non grata in the United States.

Redaelli made the "undesirables" list because of his activities during a May 1980 sit-in at the San Salvador residence of then-U.S. Ambassador Robert White. The sit-in was to demand the release of D'Aubuisson, who had been arrested with other army officers and civilians for plotting a rightist coup.

Last year, on "Good Morning, America," Redaelli startled television host David Hartman by telling him that the former ambassador had been linked to communists in South America and was a chronic alcoholic. The implication was that "Americans" like Redaelli fight communism; Robert White did not.

Redaelli told the Journal that White, during his confirmation hearings, was vigorously opposed by Sen. Jesse Helms, D-N.C.

"That's why Robert White had my visa taken, because I read all that stuff," he said.

Redaelli laid out his credentials:

"I'm one of the eldest anti-communists in El Salvador. . . . I've always been interested in communists. I've always tracked them down. It's one of my pet schemes, to see what they're doing. I have a lot of friends in military intelligence, to tell you the truth."

The Journal interview was interrupted by a knock on the door. A major and his wife were shown into the house and ushered out to the front patio. Redaelli returned to the living room.

"You know how (the military) are: they don't want to be seen. Will you excuse me?"

During the next 20 minutes, bits of the conversation filtered through an open door. The mayor told Redaelli of secret arms

movements by subversives he had seen near San Vicente in eastern El Salvador.

After the major left, Redaelli explained that the officer had passed him information to give to certain trusted military men so the subversives could be taken care of.

The exchange between military man and civilian seemed typical of the interaction common in the far-right coalition headed by D'Aubuisson.

Redaelli related how FAN (the Broad National Front)—ARENA's right-wing predecessor—had been accused of running death squads. That was not true, he said: FAN was a patriotic organization.

"We were passing off information to the National Guard and the Treasury Police and the National Police on what they (the communists) were planning and who they were."

Redaelli was asked if he, too, had participated. Being careful not to name names, he described how he had assisted in kidnappings.

"The same way they (the left) do it," he continued. "With careful planning."

"You watch them. You follow them. You study your man. What time does he leave the office? Is it the same time every day? What kind of car does he drive? Does he have security? How many bodyguards? When he leaves the office, does he have a gun? Does he have the guts to use it? Will he shoot first?"

"Some of the victims," he continued, were "even people of my own social circuit. One was a close acquaintance, not a very close friend exactly, but somebody—well, that I socialized with, that I saw at cocktail parties."

When asked why he did it, Redaelli said it was because "I had to. . . . When you realize the people who are doing these things—they would cost more lives, so they are the ones who have to be sacrificed, so fewer may die."

Relaxed in his chair, Redaelli looked like any middle-aged businessman in any upper-middle-class home in the United States. That illusion was shattered when an unexpected knock brought him leaping to his feet, grabbing the automatic rifle.

"It's late," he explained.

The unexpected visitor was the reporters' cab driver, who had become frightened waiting alone on the deserted street.

The situation was resolved, and the interview continued.

Mario Redaelli said he later realized he was destined to become an anti-communist when angry peasants killed his father in 1932. He was born four months before that event, about the time communist organizer Augustin Farabundo Martí and a small group planned what was to be called the first communist peasant uprising in the Western Hemisphere. The uprising started among Salvadoran coffee workers who were hit hard by the worldwide depression.

Mario's father, Emilio Redaelli, was an Italian immigrant and mayor of Juayua in western El Salvador. He was not a member of the oligarchy, but he was identified with them, managing a coffee-processing plant for the Daglio family of El Salvador's coffee aristocracy.

Historical accounts differ on how the local people viewed Emilio Redaelli. But on Jan. 22, 1932, when Indian coffee workers staged their abortive revolt, Emilio Redaelli was among the few civilians killed by the rebels.

The uprising claimed 100 lives.

The response of the Salvadoran government of Gen. Maximiliano Hernandez Mar-

tinez was the Matanza of "Massacre." Government forces killed between 10,000 and 30,000 peasants in the area of the revolt within a few weeks.

The response of the Redaelli family was to leave El Salvador for the United States.

Mario Redaelli remembers his mother once telling him about "the incident." However, "no politics were ever discussed when I was growing up on the States. We were just Democrats, period," he added.

He went to elementary school, junior high, high school and engineering school, each time adding a new coat of American varnish.

It wasn't until 1958, when he was back in El Salvador with a Nicaraguan wife and his own construction business, that he first got involved in Latin American politics, or, as he put it, "a revolution—against Anastasio Somoza," Nicaragua's dictator.

At that time, Central America was undergoing a series of revolutionary nationalist convulsions similar to today's. The ferment gripped just about every country in the region as the young men and women of one generation banded together to challenge the U.S.-backed dictators of the generation before.

Redaelli said he was attracted to the struggle in Nicaragua for a number of reasons:

Like many Salvadorans, he considered himself a "unionist" in support of a single Central American confederation of nations. Also—and more important—his wife's family was among the Nicaraguan exiles then in El Salvador plotting to overthrow the Somoza family dynasty.

Had that early anti-Somoza plot succeeded, Redaelli said, they intended to use Nicaragua as a base to mount an invasion with Fidel Castro's forces to free Cuba in 1958. But the key to the plan was to first hijack a Lanica (Nicaraguan Airline) plane at Miami International Airport and then fly to Honduras, where an attack force of anti-Somoza exiles was making ready.

The May 1958 hijacking, Redaelli claimed, was the first airplane hijacking in history.

"I planned it," he said. "I've done a lot of things!"

But to pilot Ali Salomon, the only one of the actual hijackers still alive, Redaelli is "a big liar."

"This Mario Redaelli," Salomon recalled, had nothing to do with the actual hijacking of the plane. Redaelli's job was to get the passports needed for the mission.

The rendezvous between the stolen cargo plane and the invasion force in Honduras was broken up by the arrival of the Honduran Air Force. Redaelli escaped the roundup of would-be rebels.

Fifteen years later, visiting El Salvador, Salomon said he was surprised to find that Redaelli's rebel brother-in-law had become the consul for Somoza and Redaelli "was in the high society of the 'Somocistas'—supporters of Somoza—in El Salvador."

When asked how he accounted for the change, Salomon paused, then said: "Maybe he was spying on us all along?"

After the hijacking misadventure, Mario Redaelli might have been perfectly content to leave politics behind him and return to his credit statements and account books and his yearbook from Hollywood High.

Like his father, he got a job in the business of a wealthy Salvadoran family—in his case, selling tractors. He became "the number-one sales promoter" for John Deere in Latin America.

But then, he explained, he began to perceive a bigger picture: something insidious, something invisible, slowly eating away the Salvadoran political structure from inside.

Redaelli embraced the "worldwide communist conspiracy" view of international events.

"I think the thing that most impressed me," he said, was when President Harry Truman pulled Gen. Douglas MacArthur back from the Far East during the Korean War "when (MacArthur) wanted to stop communism back then."

That's when, he said, "I began seeing the communist threat to the United States."

Further study convinced Redaelli it had all begun when the United States surrendered half of Europe to the "Russkies" at Yalta; then the "loss in Korea, followed by the loss in Vietnam, and 'that really did it.'"

At the same time, there was the "loss of moral values" caused by the hippie movement of the 1960s.

Redaelli lit a Diplomat cigarette and asked, "Do they still salute the flag in the United States?"

"I realized then it was shot . . . the whole moral stability of the States was lost," he said. "That's one of the ways communist infiltrate society."

He said the same pattern was apparent in El Salvador, through changes in the education curriculum. "Morality, civics and proper conduct in schools" were eliminated from study during the 1950s, he said.

But it was not until his own earth-moving construction business became a target of the unions that Redaelli decided to become involved personally.

At first he tried trained attack dogs to keep organizers from the "communist" union away.

But the dogs were not enough.

About a month after the October 1979 U.S.-backed coup led to a group of reform-minded young army officers, militant union organizers vandalized Redaelli's equipment and held him hostage for a time.

Sometime after that, Redaelli heard about Roberto D'Aubuisson and decided to seek him out.

Redaelli said he didn't know D'Aubuisson because he was 12 years older than the intelligence officer and "I mixed with colonels; D'Aubuisson with majors."

But D'Aubuisson was actively fighting communists. So Redaelli brought D'Aubuisson the names of people he believed were ringleaders in the construction union. The burly contractor had decided D'Aubuisson's approach was the only solution to his labor problems.

He joined D'Aubuisson's party, quit work for two years, changed houses for security reasons four times. He became one of the group's main fund-raisers and procurers of transportation. And, "whether I earned it or whether I stole it, I had enough to live off for a while."

The diminutive size of El Salvador makes the cycle of political terrorism a personal experience for most of its citizens.

"I've lost friends at this. Not by kidnapping, but by being tortured and murdered," Redaelli said.

Eight out of 10 Salvadoran families could say the same.

The clandestine activity of terrorists "is perhaps more cruel than war itself," Redaelli said, "because it's more cold-blooded."

In El Salvador you're not just shooting from a foxhole, but you're up close doing it to people you know, he said.

"Why is the left always glorified when they do these things? I'm not ashamed. It had to be done."

#### THE NEW AMERICAN RIGHT COOKS UP A HOT POTATO

(By Craig Pyes)

Representatives of the New Right in the United States helped a group of ultra-right-wing Salvadorans form a political party which has become the second-largest political force in El Salvador—and a hot potato for the Reagan administration.

The Nationalist Republican Alliance (ARENA) headed by ex-Maj. Roberto D'Aubuisson, was formed after meetings with aides of Sen. Jesse Helms, R-N.C., with valuable Washington contacts arranged by the staff director of the Republican Conference, and with the advice and services of a Washington public relations man who once represented the government of deposed Nicaraguan dictator Anastasio Somoza.

Acting on the advice of their American friends, Salvadoran rightists used to living underground and committing acts of terrorism came out to campaign for the March 1982 elections sounding much like the "Grand Old Party." They merged the Republican Party's 1980 platform with principles from more authoritarian nationalist parties, such as the German Nazis, to form the ARENA creed. They even borrowed the name "Republican" in christening the Nationalist Republican Alliance.

"ARENA did in five months what it takes most Salvadoran political parties at least five years to do," claimed one ARENA founder after the March 1982 election results were in.

ARENA had won 25 percent of the vote, making it the largest of the right-wing political parties in El Salvador.

The party's electoral triumph marked a significant reversal of Carter Administration efforts to isolate the right from the Salvadoran mainstream it had dominated for so long.

Although many ARENA leaders said they personally preferred the hard-line anti-communist governments of Latin America, they credited much of last year's electoral success to the guidance they received from ultra-conservatives in the United States.

The Albuquerque Journal learned that Sen. Helms' aides maintained telephone contacts to the private residences of wealthy Salvadoran backers of ARENA living in Miami. And party leaders in El Salvador receiving cables from Washington reporting on closed-door U.S. State Department and congressional activity affecting the Salvadoran right. When asked the origin of the cables, an ARENA Party founder referred the question back to a Helms' aide.

Although D'Aubuisson's power may have ebbed since the March 1982 elections, when he won the presidency of the Constituent Assembly, the party is still seen as strong, and contacts remain with some Washington conservatives.

Last December, the party's information director was one of four Salvadorans who traveled to the United States to receive a course in how to deal with the U.S. media—a course contracted by the United States Information Agency (USIA) and paid for by American taxpayers. And shortly after the March 1982 elections, D'Aubuisson told a private gathering of ARENA youth that he had two scholarships from the Republican Party for English speakers to "go to the U.S. of Gringos" for a week's instruction on

how to develop a political campaign in preparation for the upcoming Salvadoran presidential election, now scheduled for March 25, 1984.

D'Aubuisson will be ARENA's candidate to oppose Christian Democrat Duarte on the ballot. D'Aubuisson Tuesday resigned as head of the Constituent Assembly so he could campaign for the presidency.

According to one U.S. official on the National Security Council, members of El Salvador's extreme right were able to gain their conservative American backing by using "buzz words" that would appeal to their ideological brethren in the United States.

A State Department source said the conservative American network of politicians, public relations men, lawyers and trade associations behind ARENA has been able to lend El Salvador's party of the violent right legitimacy in American political circles.

In San Salvador, a foreign service officer formerly stationed at the U.S. Embassy explained that, in the past, backing from influential conservatives in the United States has affected the ability of the embassy to deal with demands from the extreme right.

Following the Reagan election victory, the Salvadoran right was convinced that the United States would never withdraw support from an anti-communist government.

"I don't think it's the embassy that's at fault as much as Ed Meese and Ron Reagan and Jesse Helms," said one U.S. diplomat last year. "Unless they see a guy like D'Aubuisson running a machete through somebody, they're inclined to ignore it . . . There is absolutely zero conception of what these people are like, how evil they really are."

Recently, however, in the face of renewed death-squad violence, the uncritical support of the Salvadoran right wing by conservative Republican interests in this country has begun to change.

President Reagan, Vice President George Bush and Secretary of State George Shultz all have denounced vigorously the death-squad violence in recent weeks. The Reagan administration's slow about-face on D'Aubuisson and ARENA come in the aftermath of increasing reports linking D'Aubuisson and his party to the violence.

Rep. Jack Kemp, R-N.Y., formerly considered a staunch friend by ARENA, said the National Bipartisan Commission on Central America, headed by former Secretary of State Henry A. Kissinger, told D'Aubuisson bluntly that military death squads would not be tolerated by any U.S. political factions, including ultra-conservatives.

Less than a year ago D'Aubuisson was granted a U.S. visa by the State Department, which claimed then that it had no evidence linking him to rightist violence.

However, when D'Aubuisson reapplied for U.S. entry this month, the State Department turned down his visa request.

There is no evidence that any of the U.S. politicians or conservative groups had independent knowledge that ARENA and its supporters had been involved with death squads.

But Salvadorans made much of the ideological similarities—and fervent anti-communism—shared by the right wings in El Salvador and the United States.

"All modesty aside, we did a helluva job with Washington," explained a former Salvadoran diplomat who is a resident of Miami. "In 1976, we began making contacts with U.S. congressmen and senators



through ANEP (National Association of Private Enterprise)," and through business ties who "helped us bring information into high levels (of the U.S. government)." . . . These connections, he explained, were invaluable in generating political support for the right during the 1982 elections.

One important bridge between El Salvador and Washington was Orlando De Sola, the young scion of one of El Salvador's most wealthy families, who now lives in Miami.

De Sola told the Journal his job was meeting with private U.S. conservative policy groups like the Heritage Foundation, the American Security Council, the Council on Inter-American Security (which lists Sen. Pete Domenici, R-N.M., as an adviser) and its offshoot, the Committee of Santa Fe. Domenici said his title was strictly honorary and that he had never attended any functions or rendered any advice.

Chairman of the Committee of Santa Fe is retired Lt. Gen. Gordon Sumner of New Mexico, who is an adviser to both the State Department and the Kissinger Commission.

In Sumner's opinion, not all the killings in El Salvador can be attributed to death squads. He thinks that at least one-third of the slaying are simple crimes of passion. It cost \$300 if you wanted to divorce your wife, Sumner remembers hearing once, and only \$50 to kill her.

He said the deterioration of the Salvadoran system of justice in the face of threats and attack from the left and the right created the atmosphere for El Salvador's epidemic of murder.

But death squads were not an important issue in the early contacts between the Salvadorans and sympathetic New Right members in this country.

De Sola said he set up a series of meetings for D'Aubuisson in Miami and Washington during 1980.

D'Aubuisson came away from these meetings apparently convinced that the Republicans would endorse his militant brand of anti-communism after they won the November election. As early as May 1980—after his first U.S. trip—D'Aubuisson recorded a message for his hard-line supporters in El Salvador:

"We have spoken with various senators in the Capitol, and they asked us that we maintain until November, contact with the new government that the Reagan Republicans will win, our luck will change.

One of the senators on D'Aubuisson's list whose aides took a keen interest in the Salvadoran right was North Carolina Republican Helms. Two of his aides, John Carbaugh (who left the senator's service last year) and Christopher Manion, maintained a close relationship with D'Aubuisson's followers.

Manion met with D'Aubuisson in Central America even before ARENA existed, according to a knowledgeable source.

After the election, Carbaugh maintained contacts with ARENA leaders, who were disgruntled about the military's imposition of interim President Alvaro Magana.

A State Department source said Carbaugh was asked to travel to El Salvador and urge D'Aubuisson to mute his claims of election fraud.

Another Republican functionary playing a role in building support for ARENA was Margo Carlisle, a legislative aide to Sen. James McClure, R-Idaho, and the staff director of the Republican Conference of the U.S. Senate. The conference functions as the party's coordinating machine.

Ms. Carlisle's involvement began when she met Ricardo Valdivieso at an anti-commu-

nist convocation in Buenos Aires in late 1981.

Valdivieso—a D'Aubuisson intimate—is a Salvadoran who had two farms expropriated under the land reform and was among those arrested with the rightist leader in May 1980. Valdivieso grew up in New York, speaks Spanish with a Brooklyn accent, is a former U.S. paratrooper and frequently has been named to undertake party missions in the United States.

The first such mission was on March 12, 1981, when he was sent by D'Aubuisson and others to Washington to get political advice.

The Salvadoran right was being criticized because of remarks attributed to D'Aubuisson at a San Salvador press conference intimating Reagan Administration officials would back a right-wing military coup against the Christian Democrats.

In Washington, Valdivieso said he asked American friends what to do.

"They suggest we make a political party," he said, to give them legitimacy under the Christian Democrat government.

Carlisle invited Valdivieso to Washington, and he stayed in the capital for five days, according to Alberto Bondanza, an ARENA party leader from Santa Tecla.

"She set up all these meetings," he said. "She has helped us since Argentina."

When the Journal asked Ms. Carlisle about her role with ARENA and its functionaries, she declined comment.

"Margo officially works for Sen. McClure," explained a Republican insider. "But she can influence a lot of things, like the New Right."

To help Valdivieso, Ms. Carlisle held a dinner party for 16 key conservatives, at which chicken crepes and chocolate mousse were served. Among the guests were Helms people and some people from the House.

Valdivieso—called "Rick" by the conservative Washingtonians he met—spoke about the inequities of land reform, the right of the individual and the values of the New Right.

"Rick just sounded like a Republican," said one of the dinner guests. "He just struck the right philosophical chord. Like the Sagebrush Rebellion moved very far south . . ."

"Margo squirmed him all over to different meetings to get him more exposure on the hill," said the source, and convinced Paul Weyrich, the New Right's elections specialist, to let Valdivieso and Bondanza attend his political campaign seminars.

Both men attended the course as guests of the committee on Jan. 24, 1982, along with 120 potential Senators and Congressmen; they were the only foreigners.

Valdivieso, rattled off techniques he said were new to El Salvador—techniques he thought would assure victory in the upcoming presidential elections:

"Phone banks in cities (Wonderful thing, phone banks!), direct mail, more door-to-door work—which is basis of politics—organize cities into precincts, day care and getting out the vote on election day."

A few days after Weyrich's course, on February 1, Valdivieso was brought over to hearings of the Senate Foreign Relations Committee chaired by Helms.

"I was standing in the Senate hallway," Valdivieso recalled. "I felt something had to be done, and I introduced myself (to Helms), gave him a little history about myself, told him I used to be a member of the U.S. paratroopers and I thought things (in El Salvador) were going against what the U.S. paratroopers stood for. And he said, 'Good. You're going to speak.'"

From the Foreign Relations Committee, Valdivieso was taken to the congressional offices of Rep. Kemp by Kemp aide Michele Van Cleve to meet the staff. Valdivieso had met Kemp before ARENA had become a party, and the congressman had given him a copy of his book, "American Renaissance."

Another important liaison for D'Aubuisson's party in Washington was Ian MacKenzie, head of the Washington-based MacKenzie-McCheyne public relations firm. The firm specializes in promoting the interests of right-wing Latin American businessmen and politicians, and included the late Nicaraguan dictator Anastasio Somoza and a group of Guatemalan businessmen close to ultra-rightist Mario Sandoval Alarcon among its clients.

MacKenzie said he helped convince about 10 wealthy Salvadoran exile families in Miami to form an organization like the Guatemalans had, called the Salvadoran Freedom Foundation, in June 1980.

Most of its members became key financial backers of ARENA, and some are now under U.S. investigation as suspected financial backers of death squads.

Foreign agent registration records show that, over the next 16 months, the Salvadorans paid the MacKenzie-McCheyne firm about \$140,000 in fees and expenses.

The Salvadoran Freedom Foundation lasted only until October 1981 when, MacKenzie said, the money went instead to finance rightist parties for the March 1982 Salvadoran elections.

MacKenzie said he convinced D'Aubuisson to drop his Broad National Front (FAN), tainted as being too far right. A friend of his, a conservative American columnist, said she sent a copy of the 1980 Republican Party platform to the Salvadorans who wanted to use it as a model for ARENA. "They copied it as closely as they could," she said.

The Nationalist Republican Alliance was officially started in Guatemala on May 2, 1981, with 35 members and a stirring anti-communist anthem, played by a Guatemalan orchestra which party members said had been carefully screened for communists.

The party's founders signed the roll at the house of Salvadoran Supreme Court Justice Dr. Ricardo Avila Moreira. He is the uncle of Capt. Eduardo Avila, implicated in the assassinations of two U.S. labor advisers and of archbishop Oscar Arnulfo Romero.

The mother of Lt. Rodolfo Isidro Lopez Sibrian—Avila's alleged accomplice in the assassinations of the labor leaders—is ARENA's Betsy Ross, having sewn its first tricolored flag.

On its coming out, ARENA announced itself as "The Party of National Salvation"—the salvation meaning from communism.

Its Salvadoran debut was a large gathering at the end of October 1981 at the Sheraton Hotel in San Salvador billed as the "Dinner of National Salvation."

**D'AUBUISSON SAYS HE RECRUITED UNCLE SAM FOR A CIVIL WAR**  
(By Craig Pyes)

Who really supplied the original documents for the controversial "White Paper" on communist influence in El Salvador issued by President Reagan in early 1981?

Though administration spokesmen insist the documents came from material gathered by a State Department official during a trip to El Salvador, Salvadoran rightist Roberto D'Aubuisson and his aides said some of the

materials first passed through their hands on the way to the Pentagon.

Whichever account is true—and both may be—the accuracy of the Feb. 23, 1981, White Paper entitled "Communist Interference in El Salvador" was attacked from many quarters almost as soon as it was made public.

By Salvadoran accounts, the material that eventually provided the key documents in the White Paper was sought to justify what was already being planned—increased U.S. involvement in El Salvador—by aides close to then presidential hopeful Ronald Reagan.

A Reagan-campaign adviser, retired Lt. Gen. Daniel O. Graham, asked D'Aubuisson in 1980 to furnish proof that would justify greater American intervention in Central America, according to Salvadoran rightists. D'Aubuisson and his backers had been told by U.S. representatives and senators during the 1980 U.S. election campaign that a Reagan presidency would lend strong support and increased aid to anti-communist forces in El Salvador.

D'Aubuisson said he chatted with Graham at a gathering in Miami where both he and the retired general had been invited to speak by affluent Salvadoran exiles who were to be some of the principal backers of the new extreme-right Salvadoran political party, the Nationalist Republican Alliance (ARENA).

Graham said he vaguely remembered the Miami meeting with a group of Salvadoran exiles but doesn't recall if D'Aubuisson was there.

During the conversation, a member of Salvadorans present remembered Graham asking D'Aubuisson if he could find proof that the Salvadoran guerrillas were being manipulated by outside forces, because the incoming Reagan Administration believed proof of such manipulation was what was needed to "influence American public opinion . . . to increase military and economic support for El Salvador."

Graham said he could neither confirm nor deny the conversation, although he did say that at the time he was making general exhortations to exile groups to gather proof of their allegations about communist backing in Nicaragua.

In response, D'Aubuisson said he later delivered to a "CIA and FBI agent" in Miami Salvadoran intelligence allegedly exposing communist plans for domination in Central America.

But more significantly, D'Aubuisson said he provided the United States with captured guerrilla documents identical to those that formed the basis of the State Department's controversial White Paper on El Salvador.

The materials D'Aubuisson said he supplied allegedly showed in the guerrillas' own documentation that the Soviet Union and its Cuban surrogate were meddling in Central America by channeling arms to the Salvadoran guerrillas through Nicaragua from Ethiopia, Vietnam and various Arab and Communist Bloc countries.

This, according to the conclusions in the White Paper, proved that "the insurgency in El Salvador has been progressively transformed into a textbook case of indirect armed aggression by communist powers . . ."

Reagan Administration officials cited the White Paper as justification for sharp increases in American military and economic aid to the Salvadoran military.

Although members of D'Aubuisson's group have admitted to forging guerrilla

documents as part of their "black propaganda" campaign to discredit the left, the documents used in the White Paper are genuine, they assert.

"We were asking them (the police), 'Do you have something that can be of any help,' because we knew what was being planned (by the Reagan Administration)," said Ricardo Paredes, a former ARENA vice minister of education.

D'Aubuisson said he located the key documents pigeonholed in a police substation, where they had lain unanalyzed since their seizure from a San Salvador art gallery in November 1980.

The cache was then transferred to a safe house in Guatemala, D'Aubuisson said, where the papers were studied by "four friends more versed in analysis."

Paredes, who said he was present, said they spent several days sifting through the material to "put together the things that were the most helpful."

After the most conclusive documents were assembled, D'Aubuisson said he wrote "a conclusion of analysis," then passed the papers through an intermediary to the military attache at the U.S. Embassy in San Salvador. From the embassy, the documents were reportedly forwarded to the Pentagon for analysis in this country.

A State Department official said he had no knowledge of any role by D'Aubuisson in the acquisition of the papers.

The documents arrived at the Pentagon during the last months of the Carter Administration.

According to the official account, Jon Glassman, a State Department official then working in the U.S. Embassy in Mexico, traveled to El Salvador in January 1981 to gather information on the types and quantity of weapons the guerrillas were using for their "final offensive" and acquired the documents from Salvadoran military officials.

The translation of the documents took some time, according to a Carter State Department official who asked to not be identified.

"Then Reagan came in and found the project, magnified it as the White Paper, and tried to stretch it," the official said.●

#### DR. CHARLES BREECHER

● Mr. LAXALT. Mr. President, during the period the Senate was out of session, a man I have worked with and known well for many years passed away. His name was Dr. Charles Breecher. He was a patriotic and honorable man whose advice was sound and respected even as the ravages of an extended illness plagued him toward the end. It is a fitting honor to note his passing in the CONGRESSIONAL RECORD. Dr. Breecher loved this country. Those of us who knew Dr. Breecher loved him as well.

Mr. President, I ask that my remarks and the eulogy delivered by Dr. Herbert W. Dodge be printed in the RECORD.

The eulogy follows:

REMARKS MADE ON THE OCCASION OF THE DEATH OF DR. CHARLES HERMAN BREECHER BY DR. HERBERT W. DODGE, WASHINGTON, D.C., DECEMBER 5, 1983

Mrs. Breecher, Francoise, Mr. Herschberg, ladies and gentlemen. In all the eighteen years that I knew Dr. Breecher, there was

not one contact I had with him that did not require me to do some serious thinking. When one loses a good friend, it is difficult to properly translate feelings into appropriate words because the emotions overpower the thought process. So, before I try to describe what the life of Dr. Charles H. Breecher stands for, permit me to make some personal observations and remarks.

First, to Mrs. Breecher. I want you, and all, to know that you honor me greatly in asking that I make these remarks, and I deeply appreciate this.

Charles Breecher was a very private person, but I came to know him and his family during these past few years on a close, personal basis. His wife and their daughter, Francoise, are truly charming women. My wife, Clarice, and I were delighted and grateful to get to know them.

If Charles has suffered during these last cruel months of his life, so has Mrs. Breecher. For 37 years, she has lived vicariously through her husband. His triumphs have been hers and his pain, also hers. In the difficult months in which Charles approached death, she had no realistic hope that he would be reprieved. The joys of his companionship became less as the grim, depressing regimen of an invalid's demands swallowed up her days. His paralysis was gradual, and sometimes for weeks at a time, imperceptible, as his condition seemed to stabilize. This protracted process without hope of a return to good health had to be worse than the grief of death itself. Dr. Breecher knew this, and all during his illness his greatest concern was what this was doing to his wife. He told me this, and I know he would want me to say it to you now. Your devotion, loyalty and love have to be here recognized.

Mr. Breecher treasured his friendship with Senator Laxalt and Senator Roth. They were frequently in his thoughts, and the frequent subject of his conversations. I know he would want me to tell you how much he appreciated the fact that they took his counsel.

How proud he was of Senator Laxalt's recent remarks about him before the Judiciary Subcommittee of the Senate.

How proud he was of the part Senator Roth allowed him to play in the formulation of the Roth-Kemp Program. He always corrected anyone who described it as Kemp-Roth.

What do I say about the life of Dr. Charles H. Breecher? I could outline his accomplishments, cite his six earned academic degrees and his professional licenses, list his awards, but you can find all this in "Who's Who in America" or "Who's Who in Government" or in "The National Social Directory" or in "Men of Achievement" or in "The International Register of Profiles."

What would he want me to say?—What he stood for, what he was against.

I met him in 1966 when he became the director of The Far East Office of Development Planning in AID. He became my master and I have served him ever since. I have had good and poor bosses in my professional life, but he was the only one who became my master. This happened grudgingly, at first, and only as I came to perceive his goals and motives.

He mastered me with the depth of his intellect and the high degree of his cognitive skills. We in his office all came to realize that here was a boss who could do anything he asked us to do and do it better.

He was a tough, demanding boss. It was not easy to work for him because he insisted



on our best and would take nothing less. When we finished a task for him, we had the satisfaction of knowing we had done well.

While he was exacting, he was fair. His humaneness and sense of humor tempered his demands. Our office came quick to appreciate that his orderly, systematic demands resulted in completing the work well and on time. Seldom was it necessary to work overtime. We took pride in working for him. He brought out the best in us.

Dr. Charles H. Breecher was a champion, and he stood for truth and accuracy. He fought many battles during his lifetime. His enemies were always the same. . . Mendacity and Sham, Incompetence and Delusion. Now in AID and the State Department, we had our share of mendacity and sham, incompetence and delusion.

He frequently found many opponents of high rank in the lists against him. More recently, in his struggles in the advisory councils of The Republican National Committee, he took an Alan Greenspan, Herbert Stein and David Stockman. Personalities did not matter with him. He always insisted that one's position on an issue, regardless of who they were, had to be supported by a respectable, logical, rational argument that was accurate.

One time in AID, the powers that be wanted to put together some charts for Congress. The process called for tracing the historic aid levels to Vietnam and projecting those figures into the future, calculating an index based on this future projection and then using that to show the then current budget request represented a decline in real terms.

They knew better than to give such an assignment to Charles H. Breecher. So they temporarily transferred one of his particularly bright and imaginative subordinates to the Vietnam Office, had him make the charts and hide the fact from Mr. Breecher. Suffice to say that the subordinate zealously kept the secret and his part in it because he knew what Mr. Breecher's reaction would be.

Truth and accuracy were such categorical imperatives for Charles H. Breecher that it was impossible for him to resist entering conflict when they were at risk.

I am reminded of those endless numbers of seemingly idiotic R.I.G.C. proposals of the Technical Assistance Bureau that we used to struggle against. We never seemed to win those fights, but he would always insist that we review those proposals for reasonableness and accuracy.

When I would complain to him that it was a waste of staff time and that we might better use the effort elsewhere, he would say,

"We have to do it, Herb. At least we can minimize the damages."

Dr. Breecher was a patriot. He was especially concerned with our country's foreign affairs and especially what he perceived as our foreign affairs delusions:

- Delusions about free trade;
- Delusions about oil;
- Delusions about investments abroad;
- Delusions about the balance of payments;
- Delusions about government statistics;
- Delusions about the Russians;
- Delusions about Europe;
- Delusions about Arab States;
- Delusions about our allies' defense;
- Delusions about foreign aid; and
- Delusions about the Panama Canal Treaty.

Since about 1978, Dr. Breecher suffered from peripneural neuropathy, a form of pa-

ralysis that the doctors don't seem yet to be able to cure. It remains a mystery how he contracted it. But this did not deter him in his struggle for truth and accuracy. This struggle led him to make appearances before a number of congressional committees.

Mrs. Breecher deplored the expenditure of his strength and energy in this way. He recognized this and did not want to worry her, but he had to do it. It was a categorical imperative for him.

He enlisted my support. It was not my cause, but I could not resist him.

"Why," I asked him, "do you do this? Nobody cares anymore about the Panama Canal Treaties. Isn't it a waste of time? I'm willing to help you, but I don't understand why you insist on beating your head against the wall."

This really made him angry! "I care about it! And, you should care about it! Is it a waste of time to defend the Constitution? I've taken an oath too many times to defend the Constitution to stop now! Every member of Congress, Senators and Representatives, and the President have taken such an oath, and I intend to point this out if it kills me! Panamagate is a lot worse than Watergate!"

Before the House Panama Canal Subcommittee in March of 1981, he agonizingly struggled on his deteriorating legs to give his testimony.

At the Hearing before the Joint Economic Committee, Subcommittee on Trade Productivity and Economic Growth in June of 1981, he came in a wheel chair.

And, as recently as this past June, he was brought on a stretcher to appear before the Separation of Powers Subcommittee of the Senate Judiciary Committee to give testimony on the status of the Panama Canal Treaties.

My wife and I witnessed these performances. All were good, what he said was profound, but his last appearance was magnificent!

Allow me to read to you what Senator Laxalt said about him at this last session:

"Mr. Chairman, I thank you for conducting these hearings, and most especially for inviting my good friend, Dr. Charles Breecher. Dr. Breecher comes here not only as a concerned American, but also as an expert in international treaty law. During the course of working on the treaty myself, I had occasion to talk to a lot of experts and I must say that I did not find anybody really in the class of Dr. Breecher as a student of treaties generally, and certainly as a student of this particular treaty.

"His devotion and persistence are largely responsible for this hearing today. I think I can say without fear of contradiction that if it had not been for this gentleman, this whole matter could have easily been interred and forgotten. But he persisted, despite the fact, as is obvious, he is in very ailing health.

"Dr. Breecher came to this country from Austria over 40 years ago. Since that time, he has honorably served this government in many ways. Not only has he served in the United States Army, but he has worked for many years in the State Department and the Agency for International Development.

"He has written extensively on international and domestic issues, and I might say I consider him a trusted adviser as well as good friend.

"Dr. Breecher's health has not daunted his incredible spirit and drive. His analysis is as sharp and incisive today as when we met many years ago. His scholarship and exper-

tise are evident from a close reading of the testimony he is here to present.

"His rational and considered judgment is that the Panama Canal Treaties are invalid primarily because the ratification process was not properly followed. He cites our constitutional law, as well as norms of international law, to bolster this claim.

"I might say sometimes we lawyers think in terms of doctrines like laches. That does not apply to this man because almost from the outset, he has voiced considerable concern about where it was going in terms of the validity of that ratification process. And while it has taken a long while to arrive at the time of this hearing, I can say without qualification that it has not been due to any degree of dereliction of the part of this fine American.

"Dr. Breecher has gone to considerable lengths to delve into the legal and procedural points he will make in his statement. I want to personally thank the chairman of this subcommittee for giving him the opportunity to testify under oath for the record. This record may be of considerable historical significance.

"I applaud Dr. Breecher for his hard work and devotion to the fundamental principles for which this country stands. We are all more fortunate for his having chosen the United States as his home and a life of service to this country as his career."

What an exertion this must have been for Dr. Breecher, but he remained undaunted. As recently as Thanksgiving he was planning new campaigns, he was writing a book, He enlisted my wife and me to help him. He would not quit!

Charles H. Breecher's life stands for truth. He recognized that the perception of truth might be relative. He knew that it might not be fixed, but he also knew it was not free either. He knew it was hard and painful. But he was perceptive, diligent, industrious, and tenacious so he embraced it.

So, I would like to close these remarks about his life with the words of James Russell Lowell:

"Many loved truth, and lavished life's best oil amid the dust of books to find her,  
"Content at last, for reward of their toil,  
with the cast mantle she hath left behind her.

"Many in sad faith sought for her,  
"Many with crossed hands sighed for her:  
"But this, our brother, fought for her,  
"At life's dear peril wrought for her,  
"So loved her that he died for her,  
"Tasting the raptured fleetness of her divine completeness:

"His higher instinct knew those love her best who to themselves are true.

"And what he dared to dream of, dared to do,

"He followed her and found her where all may hope to find,

"Not in the ashes of the burnt-out mind,  
"But beautiful, with danger's sweetness round her.

"Where faith made whole with deed  
"Breathes its awakening breath into the lifeless creed,

"He saw her plumed and mailed, with sweet, stern face unveiled

"And all-repaying eyes, look proud on him in death."●

#### OUR DEBT TO INFANT

● Mr. DURENBERGER. Mr. President, I am delighted that the Nestle Corp. has finally adopted the volun-

tary code of conduct for the marketing of synthetic infant formula which was developed some years ago by the World Health Organization. This action by Nestle's brings to an end the consumer boycott which was organized by INFAC—Infant Formula Action Coalition—a group organized some years ago by a dedicated Minnesotan, Doug Johnson.

The story behind INFAC bears repetition, for it is full of twists and turns which made a straightforward matter of commonsense into an issue of high politics. It also shows once again that one or two people of good will can accomplish great deeds in the face of major obstacles.

Synthetic infant formula has grown in popularity over the past few decades. It is convenient; it can provide a supplement to normal diets; it is even required for those infants who are unable to digest mother's milk. But, if it is not used correctly, it can starve rather than nourish young children. For instance, when the formula is watered down by parents anxious to save money, it causes diarrhea. For a small child, this is more than an inconvenience. It is a life-threatening malady, for it can quickly cause massive dehydration and malnourishment.

Such instances are not uncommon; they have occurred with frightening regularity in various Third World countries where synthetic infant formula has been misused. Nor are such consequences the unfortunate side effects of a needed health supplement. Except for those few infants who simply cannot digest mother's milk, synthetic infant formula is at best an acceptable diet, not a superior one. Mother's milk is almost invariably more healthy and nutritious for infants than any alternative. It contains vital antibodies which can increase resistance to disease. It is readily digestible and nutritious.

Unfortunately, a number of manufacturers of synthetic infant formula developed marketing campaigns which suggested to mothers in Third World countries that their products were superior to breast milk. An equally common marketing theme was that the use of synthetic formula was somehow more "modern" or "sophisticated" than reliance on breast-feeding. In several instances, sales people wore the white uniforms of doctors and nurses to add to the image of synthetic superiority. In other cases, promoters arranged for pediatricians and other health professionals to distribute free samples of synthetic formula to new mothers.

There is nothing wrong with marketing. And there is certainly nothing wrong with synthetic infant formula, provided it is used properly. But the net effect of marketing practices in several Third World countries was to convince people who did not have the

necessary clean water or the necessary reading skills to adhere to instructions that synthetic infant formula was crucial to their infants' health.

Worse still, many people who had become accustomed to synthetic formula in the belief that they were helping their children found that they could not afford to purchase regular supplies. In the mistaken belief that something was better than nothing, they would resort to thinning the formula with extra water—water which in many Third World countries is contaminated—in order to stretch supplies. The result was that literally hundreds of thousands of infants died of malnutrition, diarrhea, and dehydration.

Some years ago, this situation came to the attention of a young graduate student in Minneapolis, Doug Johnson. He founded the Infant Formula Action Coalition to bring the facts to the attention of appropriate people in business, government, and public health agencies. Starting with nothing more than his desire to help, Doug made astounding progress. Within a few months, he was regularly consulting with officials of the World Health Organization, with senior executives at the firms involved, with public officials, and others who could lend their help.

Because the case for action was so compelling, industry, health, and government officials jointly worked out a voluntary code of conduct to end the kinds of marketing practices which had resulted in such needless tragedy. The code was a model of commonsense. It was fair to all parties; it was adaptable to local circumstances; it was based on cooperation.

Not surprisingly, therefore, it was guaranteed swift passage before the World Health Organization. Quite surprisingly, however, the United States cast the only vote against it in the mistaken belief that somehow the code was directed at the concept of the free market. It was a case of fanaticism and ignorance winning out over compassion and commonsense. If the issue had really been a test between market economies and command economies, the United States would not have been the only country to vote against the code. Virtually everyone familiar with the details was embarrassed.

That is why a resolution which I introduced on June 17, 1981, along with Senators DOLE and LEAHY passed the Senate 1 day later by a lopsided margin of 89-2. The resolution expressed grave concern over the U.S. vote in the World Health Organization and called for support of the purpose of the code. Passage of the resolution was aided by two things. First, of course, the issue was compelling. Second, Doug Johnson and Linda Kelsey, the television actress, spent a great deal of time visiting Members of

the Senate and explaining the issue. These two Minnesotans exemplified the best of volunteerism.

There the issue remained for the next 3 years. Every member of the World Health Organization except the United States abided by the code. Virtually every producer of synthetic infant formula did likewise. The Nestle Corp. undertook substantial compliance with the code, although some rough spots remained. In the interim, Doug Johnson and the other members of INFAC kept the issue before the public, chiefly through publicity and the device of a consumer boycott.

Nestle's has now agreed to implement the code in its entirety, and INFAC has renounced the boycott. The battle is largely over, and we can be assured that infants will not suffer starvation in the name of nutrition. Obviously, this by no means ends the problem of starvation and malnutrition around the world. As the latest reports from Africa indicate, large sections of the world now face mass famine. But we now have a means by which to control the greatest of ironies, starvation resulting from well-intentioned efforts to nourish.

Mr. President, I want to call the attention of my colleagues to the entire staff of INFAC and the International Nestle Boycott Committee, both of which are based in Minnesota. While ultimately hundreds of thousands of persons played a role in this issue, we owe special thanks to Ed Baer, Leo Cashman, Douglas Clement, Nancy Cole, Grace Egeland, Glenn Geisinger, Lila Gross, Linda Koch, Elaine Lamy, Leah Margulies, Sister Regina Murphy, Jackie Orr, Dan Pederson, Ola Shobowale, William Thompson, and Patricia Young. These people, of course, were assisted by many others, and were inspired by Doug Johnson. To all of them, we owe a great moral debt.

Mr. President, I ask, unanimous consent that the article in today's Washington Post concerning the ending of the Nestle's boycott be reprinted in the RECORD.

The article follows:

[From the Washington Post, Jan. 27, 1984]

**6½-YEAR BOYCOTT OF NESTLE IS ENDED AS FIRM ADOPTS BABY-FORMULA CODE**

(By Philip J. Hilts)

A 6½-year boycott against the Nestle Co. that spread from Minnesota to Finland ended yesterday after Nestle agreed to comply in virtually every detail with the World Health Organization's (WHO) infant formula sales code.

Protesters dropped their boycott of the company's chocolate bars and popular Taster's Choice coffee after Nestle agreed to four final points of a code designed to curb aggressive sales tactics that boycotters said threatened the health of babies in the Third World.



In a statement yesterday, Nestle said it had tried to comply with the code in 1981, "but it meant different things to different people." Yesterday's agreement, the company said, is proof that its efforts to comply "have finally been recognized. This controversy is now resolved."

The baby formula fight, which eventually involved the State Department, a presidential appointee and Congress, was characterized by Nestle in 1978 as a test of the free enterprise system.

"The U.S. Nestle Co. has advised me that their research indicates this is actually an indirect attack on the world's free economic system," a Nestle spokesman told Congress.

The spokesman, Oswald Ballarin of Brazil, later apologized for the remark, but Nestle maintained its opposition to a code until after WHO passed one in May, 1981, on a 118-to-1 vote, with the United States casting the sole negative vote.

But as the boycott wore on, Nestle began to take positions closer to compliance with the code from the point of view of WHO, at the same time that the company vigorously fought the boycott.

The boycotters estimate that they have spent about \$3.5 million, and that Nestle has spent over \$100 million fighting the issue.

The issue also brought down the Reagan administration's nominee for assistant secretary of state for human rights, Ernest W. Lefever. He was charged with conflict of interest when it was said he had accepted \$25,000 from Nestle and distributed an article supporting the company's position on marketing baby formula. He was rejected by the Senate, then withdrew his nomination.

A State Department official said yesterday that the administration still opposes the code, though it has complied with WHO requests for information on efforts to improve infant nutrition in this country.

Nestle, a Swiss-based company that controls almost half the world market in baby formula, is the first formula maker to agree to abide by the letter of the international code.

The code was written by WHO to combat marketing practices such as using doctors and hospitals to dispense free samples and persuade millions of mothers to switch from breast- to bottle-feeding.

Advocates of the code said that shifting from breast to bottle, especially in less-developed countries, threatens the health of the infant and strains the finances of its family. In addition, illness can result when the formula is misused, such as when it is mixed with contaminated water, or when concentrated formula is given undiluted or is diluted too much so it will last longer.

The boycott was organized in 1977 by a few activists and church groups seeking to put pressure on infant formula makers. Nestle was the chief target because it was the largest seller of formula in the affected areas. The boycott was run by the Infant Formula Action Coalition (INFAC).

The boycott ended symbolically at a news conference yesterday when INFAC Chairman Douglas Johnson took a bite of a Nestle's Crunch bar, offered by Nestle's Niels Christiansen, as a way "to end this conflict."

The key point conceded by Nestle yesterday concerned the way free cans of formula were given to hospitals to pass on to mothers. Nestle previously agreed not give free promotional samples to mothers through the hospitals, unless the infants "have to be fed" formula.

Nestle interpreted very broadly the definition of babies who "have to be fed" formula, but agreed yesterday to let WHO define the term so that it will be limited to those who need formula for medical or other serious reasons.

Other concessions by Nestle include an agreement to promote breast-feeding explicitly in the company's educational literature as the superior method of feeding. The company agreed to point out the negative effects of simultaneous bottle and breast-feeding, and the difficulty of reversing the decision to breast-feed once it is made. If a child does not feed enough at the breast, the mother's milk production stops.

The company also agreed to strengthen its label warning against misuse of formula.

Nestle said yesterday that it supported the aims of the code from the time it was passed, and eventually stopped public advertising of infant formula, changed its labels to remove mother-and-baby pictures and stopped giving out samples freely to mothers. But the company drew up its own instructions for its distributors and salesman, which WHO officials criticized.

Until yesterday, neither the boycotters nor WHO was satisfied that Nestle intended to abide by the code, and the U.N. International Children's Emergency Fund (UNICEF) at one point rebuked Nestle for the "possibly harmful" way the company chose to interpret the WHO rules.

Sporadic discussions between the boycotters and Nestle were carried out over the last 18 months, without success. The negotiations became intense and serious only after a chance meeting on a train between Johnson and Christiansen.

After that meeting, and a letter to Nestle management from the boycotters saying that there were now very few points separating them, intense negotiations were approved by Nestle in Switzerland. ●

## PROTECTING PENSION PORTABILITY OF COMMUNICATIONS WORKERS

● Mr. LAUTENBERG. Mr. President, as a result of the AT&T divestiture, many employees who are transferred and who have not yet achieved the 10 years required for vesting, could lose their accrued years of service credited toward pensions. An employee of AT&T, an AT&T subsidiary, or one of the new seven regional Bell operating companies may lose accrued service credit unless legislation is passed to allow for continuation of the tradition of portability between the various parts of the telephone companies after divestiture. The modified final judgment of the Court in the AT&T divestiture solves this problem for 1 year, but the Congress must act immediately so that employees will not risk losing their pension when they move to a new position. This is not a matter that legally can be resolved by the Federal Communications Commission.

The Congress has, in the past, protected the pensions and other rights of employees who are affected by major Government action to restructure an industry. This was the case with airline deregulation and railroad deregulation. The Senate passed employee

protection rights for communication workers when S. 898 was considered during the 97th Congress. While the Multi-Employer Pension Act (ERISA) does offer some protection, the divestiture of AT&T is a unique situation that warrants protecting communication workers' pension portability.

As Senator Ford and I stated on the floor yesterday, we are committed to insuring pension portability for AT&T and Bell System employees. Resolving the pension portability problem has the support of: AT&T, the Central Service Organization (on behalf of the new seven regional Bell operating companies), the Department of Justice, and the Communications Workers of America.

We are prepared to offer an amendment to resolve the pension portability problem on the first appropriate bill before the Senate. During the debate on S. 1660, the telecommunications legislation considered by the Senate on Thursday, we received assurances from the leadership and the involved committees that the Senate would address this issue at its earliest convenience. There is an immediate need for this amendment so we may be offering it in the near future.

For the information of my colleagues, I ask that the proposed text of the amendment be published in the RECORD along with letters from AT&T, Central Services Organizations, and Bell Atlantic indicating no opposition to this course of action.

The material follows:

### EMPLOYEE PROTECTION

SEC. . Section 221 of the Communications Act of 1934 (47 U.S.C. 221), is amended by adding at the end thereof the following new subsection:

"(e)(1) The recognition after December 31, 1983, of creditable service, and the treatment after such date of associated accrued benefits and assets, in the case of any transfer of any qualifying employee between any entity subject to the modified final judgment shall be governed by the provisions of the modified final judgment as such provision applied during calendar year 1984 with respect to transfers to or from the divesting corporation and any divested exchange carrier.

"(2) A qualifying employee, for purposes of this subsection, is an individual who is an employee of an entity subject to the modified final judgment, who is serving in a covered position, and who, on December 31, 1983, was an employee of any such entity serving in a covered position.

"(3) For purposes of this subsection, the term—

"(A) 'consumer price index' means the Consumer Price Index (all terms—United States City average) published monthly by the Bureau of Labor Statistics;

"(B) 'covered position' means any position (i) which is not a supervisor position, within the meaning of section 2 (11) of the National Labor Relations Act (29 U.S.C. 152(11)) or (ii) the annual base pay rate for which is not more than \$50,000, adjusted by the percentage increase in the consumer price index since December 31, 1983;

"(C) 'entity subject to the modified final judgment' means any carrier divested as a result of such judgment, the corporation owning such carrier before divestiture, and any affiliate of any such carrier or corporation; and

"(D) 'modified final judgment' means the judgment of the United States District Court for the District of Columbia in the case, *United States against Western Electric, et alia*, No. 82-0192, as modified.

"(4) Nothing in this subsection shall be construed to limit benefits which would otherwise be provided under the modified final judgment or under applicable law."

BELL ATLANTIC,  
MANAGEMENT SERVICES, INC.  
Arlington, Va., January 25, 1984.

HON. FRANK LAUTENBERG,  
U.S. Senator, Washington, D.C.

DEAR SENATOR LAUTENBERG: This is in regard to the issue of pension portability provisions as represented in the House bill, H.R. 4102. We understand the expressed desire of the labor unions representing Bell Atlantic employees to have similar provisions introduced in legislation.

Bell Atlantic does not object to these portability provisions as they are defined in H.R. 4102, and further, would support such provisions were they placed in appropriate legislation other than S. 1660.

Thank you for the opportunity to clarify our position on this matter. Please do not hesitate to contact me.

Sincerely yours,

SAM FORD.

CENTRAL SERVICES ORGANIZATION,  
January 24, 1984.

HON. FRANK R. LAUTENBERG,  
U.S. Senate, Washington, D.C.

DEAR SENATOR LAUTENBERG: This letter is written at the request and on behalf of the seven companies which now own and operate the Bell operating telephone companies. It is written for the purpose of answering questions and dispelling any confusion which may exist with regard to the position each of them has taken with respect to the "pension portability" proposal which is being advanced to the Congress. We understand that proposal is generally designed to protect certain employment rights of qualified employees of the former Bell System in the event of future employment moves between employer corporations which formerly were, but now are not, related.

Their position is simply this:

(1) There is no substantive quarrel with the objectives or specific goals of such a proposal.

(2) The inclusion of this kind of issue in a bill like S. 1660 is inappropriate, untimely and unnecessary.

(3) There would be no objection on behalf of these companies to the inclusion of such a proposal in an otherwise appropriate legislative vehicle.

Of course, this position has been explained by each of these companies to each of the labor organizations which represent their employees.

I hope this explanation is helpful to you.

Very truly yours,

MICHAEL D. BAUDHUIN,  
Vice President, Government Affairs.

AT&T,  
New York, N.Y., January 26, 1984.

DEAR SENATOR LAUTENBERG: This refers to discussions on S. 1660 and the difficulty

which it would cause the telephone industry and its customers.

I am concerned at this late hour about two specific items. The first is efforts to urge passage of S. 1660 because it could provide a vehicle for attainment of the Union's objective of pension portability between companies of the former Bell System. I can speak for AT&T to say that we have no objection to pension portability. And I believe the divested Bell companies do not regard this as a difficult issue when compared to others at stake in this legislation. What is disturbing is that it is extremely shortsighted and a longrun detriment to the individual employees to endorse the destructive features of S. 1660 and its companion H.R. 4102 in order to attain a pension feature that is not in dispute.

The second item is the discussions about accommodating the advocates of S. 1660 and H.R. 4102 by providing for an additional delay before a reconsidered FCC order could be made effective. This idea merely prolongs the high costs and uncertainty which now exist because of the FCC postponements. And it re-injects the Congress into the telephone rate-makeup debate on into 1985 and possibly beyond. This industry is going through a bad period now and needs to be able to plan its way through the next few years. Rate-making belongs in the regulatory commissions and legislative action can always be taken if actual harm is discovered.

Please let me know if I can furnish further information.

Sincerely,

C. L. BROWN.●

#### THE PUBLICATION OF JUDGE WINNER'S OPINION

● Mr. ARMSTRONG. Mr. President, the events surrounding the publication of a court opinion issued by a Federal district judge in Denver, Colo., has been the subject of a number of recent news accounts and editorials. Briefly, the Justice Department sought and received a temporary restraining order blocking publication of an opinion rendered by Federal District Court Judge Winner. The fact that the Justice Department would seek, and another Federal court would grant such an order is remarkable. But, the temporary restraining order has not been revoked and the opinion will be published in the near future.

However, in all this flap over the attempt to block publication, we should not lose sight of the larger issues raised by Judge Winner. In essence, he is blowing the whistle on questionable conduct of government prosecutors. After reading Judge Winner's decision, my first reaction was to call for hearings to shed additional light on the issues raised in his opinion. I understand that both the Federal district court and the 10th Circuit Court of Appeals have different aspects of this case under review. With that in mind, the proper course may be to wait for the findings from these hearings before we begin our examination of this matter and determine what action

Congress should take to insure protection against government misconduct.

In the meantime, I comment to my colleagues the following articles and other accounts of this important issue:

[From the Denver Post, Jan. 27, 1984]

#### JUSTICE DEPARTMENT TRIES TO GAG JUDGE WINNER

(By William R. Ritz)

The U.S. Department of Justice, in a move angrily derided as "blatant federal arrogance" and "unshirred censorship," is attempting to stop publication of an opinion by a Denver federal court judge in which he accuses three federal prosecutors of misconduct.

The Justice Department's request for a temporary restraining order quietly was approved by the 10th U.S. Circuit Court of Appeals earlier this month. The order bars West Publishing Co. of St. Paul, Minn., from printing a decision by U.S. District Judge Fred Winner in the Federal Supplement, a hard-bound compilation of federal court decisions.

A decision by the appellate court on whether to make the order permanent could come as early as this week.

But the decree could be anti-climactic because, whatever the outcome, the battle pitting lawyers and civil libertarians against the Justice Department and appellate court already will have been going strong.

At issue are three important constitutional points, say opponents of the restraining order: prior restraint of the publisher, censorship of a federal judge, and the separation of branches of the government.

"We're talking about a First Amendment right of a judge to publish his opinion and the Department of Justice trying to suppress that right, which we believe to be absolute," said Richard Rufner, one of the attorneys in the case.

"Then you have a separation-of-powers problem with the executive branch trying to ride herd over the judicial branch and prevent it from carrying out the judicial branch's rights and responsibilities.

"It's astounding," he said.

"When the indictment came down in 1982, the Department of Justice issued a four-page press release without worrying about the reputations of the accused before they had their day in court. Now, suddenly, they are extremely worried about the reputations of their attorneys . . . claiming they have not had their day in court.

"What's good for the goose is good for the gander," he said.

(Glenn L. Archer Jr., the head of the Justice Department's tax division, said in an interview with The New York Times that the prior restraint on publication was necessary because the "slandorous" judicial opinion unfairly criticized three of his prosecutors.

(Lawyers involved in the case and other legal experts said they knew of no previous instance in which a private publisher had been barred, on pain of contempt of court, from publishing a judicial opinion.)

#### "THIS IS A GAG ORDER"

If the restraining order is upheld, legal officials told The Denver Post, it could have a chilling effect on the independence of American judges.

"This is a gag order, pure and simple. It's blatant federal arrogance," snapped lawyer Donald E. Van Koughnet of Naples, Fla.,



who was involved with the defense of the case in its early stages.

"What we're saying here is 'the judge has discretion, but (Winner's opinion) is an abuse of that discretion,'" countered Justice Department spokesman John Wilson.

"Since when does the executive branch decide what is or isn't proper for the judicial branch," questioned a Denver lawyer who asked not to be identified.

"It's the same kind of abuse of power that resulted in the Pentagon Papers case," said Edwin Kahn, a Denver lawyer whose firm frequently does work for the American Civil Liberties Union, "except here, instead of trying to suppress information critical of the government's conduct of a war, they apparently are trying to suppress a judge's written opinion critical of government prosecutorial misconduct in the courtroom."

Is it illegal?

"Yes, in the sense it involves an unlawful attempt by the government to suppress information," Khan said.

Kahn said he and David Miller, director of the Colorado ACLU chapter, will review the case file Monday and make a recommendation to the ACLU about "what, if anything, it ought to do."

#### CASE STARTED IN 1982

The problem goes back to 1982 when the Department of Justice, concluding a 21-month investigation by its tax diversion and the Internal Revenue Service, indicted seven persons and the Bank of Nova Scotia on as many as 27 counts each of conspiracy, mail fraud, obstruction of justice and, \* \* \*

Eventually, all but one of the counts, an obstruction-of-justice charge against William A. Kilpatrick of Littleton, were dismissed. In a trial in U.S. District Court in Denver last spring, Kilpatrick was convicted of obstruction of justice.

But defense attorneys, alleging misconduct by IRS agents and three prosecutors from the Department of Justice in Washington, asked for dismissal of the indictment or a new trial.

Six days of hearings on the defense motion were held last summer and, on Aug. 25, Winner granted Kilpatrick a new trial in a lengthy, scathing opinion on which the legal imbroglio is centered.

Winner described Kilpatrick's trial as "an ill-starred case which had its first questionable conduct during the opening two minutes of grand jury investigation and which had conduct suspect under the Canons of Professional Responsibility lasting into post-trial hearings."

The bulk of his wrath was aimed at three Justice Department prosecutors: Stephen "Jake" Snyder, Jared Scharf and Thomas Blondin, who directed the government's case from the grand jury through the criminal trial.

Among the examples of alleged misconduct were:

The use of two IRS agents as sworn "agents of the grand jury," dubbed by Winner as "IRS special agent/grand jury agents/prosecutor's helpers."

Abuse by prosecutors of rules governing grants of immunity for prosecution witnesses.

#### WITNESS RELEASED

The release by prosecutors of a subpoenaed witness, although court rules specify that the witness can be released only by a judge.

At the direction of two prosecutors, letters were written on the letterhead of the U.S. attorney for Colorado without the U.S. attorney's permission.

Disclosure by prosecutors of secret grand jury testimony to unauthorized persons.

Intimidation by prosecutors of defense witnesses in front of the grand jury.

Winner said the government described many of the accusations of misconduct by defense attorneys as "silly, but they aren't either silly or frivolous. And if the overlords of the tax division think this whole mess is just a ploy, I recommend that they take a second look."

In addition to being printed for the local news media, Winner's opinion was sent off routinely to West Publishing, a private firm, for inclusion in the next volume of the Federal Supplement. Each volume of the Federal Supplement, a thick book of decisions rendered by federal judges around the country, is purchased by thousands of law firms and legal libraries around the country.

Initially, all of the submitted decisions are printed in so-called "advance sheets," unbound paperback volumes that are widely circulated. Several weeks after the "advance sheets" are published, they are reprinted in hardback volumes.

On Sept. 6, almost two weeks after Winner's decision was issued and after it was sent to West Publishing for inclusion in the Federal Supplement, the Justice Department asked in a motion that Winner's opinion either be withdrawn or amended by deleting all names of prosecutors and information identifying them. Winner rejected that request the next day.

That rejection was the subject of another government appeal, filed about 10 days later. But the government's supporting documents weren't filed with the court until Nov. 29.

Meanwhile, Winner's decision already had been published in the "advance sheet" for volume 570 of the Federal Supplement and circulated throughout the country.

On Dec. 27, the government said it was told by Charles Nelson, editor-in-chief of West Publishing, that the deadline was Dec. 30 for the hardback edition of volume 570 containing Winner's decision. In addition, Justice officials said they were told the only way to stop hardback publication of an opinion from the "advance sheet" was by order from the district court or appeals court.

Two days later, on Dec. 29, the Justice Department filed an emergency motion with the 10th U.S. Circuit Court of Appeals, asking for an order forbidding West Publishing from including Winner's opinion in the hardbound version of volume 570 of the Federal Supplement.

Winner's allegations of prosecutorial misconduct "are defamatory and potentially harmful to the prosecutors named in the opinion," Assistant Attorney General Archer wrote in the emergency motion. Winner's discussion and identification of the prosecutors "was unnecessary" in ruling on the defendant's motion for a new trial, Archer said.

For filing with the 10th Circuit Court in Denver, Justice officials electronically transmitted Archer's motion from Washington to the U.S. attorney's office in Denver, which relayed it to the appellate court. But copies of the motion for the defense attorneys, instead, were mailed and didn't reach their offices until Dec. 30, which left defense attorneys little time to develop responses to the motion.

On Jan. 3, Judges William Holloway Jr. of Oklahoma City, Okla., and Stephanie Seymour of Tulsa, Okla., both appellate judges, and Senior U.S. District Judge Luther Bo-

hanon of Oklahoma City, who had been appointed to sit temporarily on the appellate bench, granted Archer's request. Their temporary restraining order forbade West Publishing from including Winner's opinion in the hardbound volume until further evidence could be studied by the appellate judges.

Few involved in the case would comment on it.

Judge Holloway and U.S. District Judge John Kane Jr., who must hear the re-trial of Kilpatrick, refused comment because the case was pending before them.

Winner, who retired from the bench last September, declined comment pending final resolution of the case.

West Publishing Editor-in-Chief Nelson and Managing Editor James Corson refused to return telephone calls.

"I'm utterly shocked that as responsible a publisher as West Publishing Co., which publishes the national reporter system used by the entire American legal profession and judiciary, would not stand up and be counted on to challenge this gag order," said defense attorney Van Koughnet.

Contacted at his Minneapolis office, Vance Opperman, an attorney for West Publishing, said the company "always follows court orders."

The Supreme Court has ruled on several occasions, including its 1971 Pentagon Papers decision rejecting the Nixon administration's effort to bar newspapers from publishing a classified Defense Department study of the Vietnam War, that any "prior restraint" on publication "comes to this court bearing a heavy presumption against its constitutional validity."

#### WINNER'S OPINION/EXCERPTS

"\* \* \* I don't think that an IRS special agent can act in the combined capacity of IRS agent, 'agent for the grand jury,' and recipient of grand jury information . . . for the sole purpose of helping out the prosecutor. This is a confusion not of apples and oranges. It is confusing apples, oranges and bananas."

"\* \* \* the government is playing with fire in arguing that good motive excuses making one's own law."

"Mr. (Stephen) Snyder's good intentions don't excuse his arrogation of a power that he didn't have. And, even if the illegal 'oath' doesn't amount to serious error, it started the case downhill on a course of repeated excesses on the part of the prosecution."

"I don't know how it can be argued that this language permits disclosure to IRS agents to work as 'agents for the grand jury' unless it is argued that the grand jury is simply an arm of the prosecutor's office, and if that be the argument, almost 800 years of history is going to have to be forgotten. The document King John signed at Runnymede contains no such concept, nor does our Constitution."

"It seems pretty clear to me that the IRS agents to whom disclosure was made were hired guns of the prosecutor and the IRS—not of the grand jury."

"No 'oath' of secrecy was administered, but an obligation of secrecy was imposed by instructions from government counsel to witnesses. This foolishness may or may not have been intentional, but ignorance of the law is not a defense available to a prosecutor . . . This misconduct is established by the record, and it will prove difficult for the government to deny . . ."

"Intimidating witnesses by telling them that their testimony disgraces them and im-

plying that the Tax Division of the Department of Justice will take after the witness... because an expert testified to his expert opinions does no credit to our government."

"Usually when a case goes to the jury, there are no more difficulties to be encountered, but that's not so in this ill-starred case which had its first questionable conduct during the opening two minutes of grand jury investigation and which has conduct suspect under the Canons of Professional Responsibility lasting into post-trial proceedings."

**BAN ON JUDGE'S OPINION ATTACKED—  
QUESTIONS RAISED OVER PUBLICATION BLOCK  
(By Mark Thomas)**

A precedent-setting order blocking the publication of an opinion by a former Denver federal judge has prompted accusations of unauthorized censorship and raised questions about First Amendment privileges.

The order, which the American Civil Liberties Union began studying Friday for possible constitutional violations, is attracting national attention and is under fire for being "an attempt to muzzle a federal judge."

Issued earlier this month by a three-judge panel of the Denver-based 10th U.S. Circuit Court of Appeals, the order stopped an opinion by former U.S. District Judge Fred M. Winner from being published in the Federal Supplement.

At issue is Winner's Aug. 25, 1983, opinion ordering a new trial for William Kilpatrick of Littleton, who was convicted in federal court in Denver last summer of obstruction of justice charges in connection with an alleged tax-shelter fraud.

Winner found that Kilpatrick should get a new trial because of a "preliminary factual showing of serious misconduct" on the part of three U.S. Department of Justice Tax Division attorneys during grand jury proceedings.

The prosecutors were accused of intimidating witnesses before the grand jury, failing to keep secret grand jury testimony in a secure place, and offering unauthorized "pocket immunity" to witnesses.

"Winner's highly critical opinion stopped short of finding them guilty of prosecutorial misconduct of dismissing the indictment. Winner left that decision to U.S. District Judge John L. Kane, Jr., who took over the case after Winner's retirement in October.

After Winner rejected a government motion requesting that the opinion be withdrawn—or that the names of the prosecutors be deleted—the government asked the 10th Circuit court to block West Publishing Co. of St. Paul, Minn., from printing it in a permanent volume of the Federal Supplement.

The government claimed that Winner had failed to keep the opinion free of "impertinent, defamatory and scandalous matters," and that his comments on the allegations of misconduct were potentially harmful to the three prosecutors.

On Jan. 4, just a few days before the opinion was to be printed, the 10th Circuit ordered West Publishing to postpone its publication. The panel of 10th Circuit Judges William J. Holloway Jr., Stephanie K. Seymour and U.S. District Judge Luther L. Bohannon of Oklahoma City ruled that further hearings on the misconduct allegations should be completed before the opinion was published.

The 10th Circuit also has directed attorneys for Kilpatrick and other defendants in

the case to show cause why the order should not be made permanent. A ruling on the permanent prohibition is pending.

Edwin S. Kahn, a volunteer attorney with the ACLU in Denver, said the order "calls into question some very important First Amendment principles."

Kahn said the order apparently violates not only Winner's First Amendment rights, but also the right of the public to know what was decided by the trial court.

"Judges say a lot of nasty things about people in their opinions, it's their job to evaluate how cases are presented. They have to call them how they see them. If he saw it wrong he'll be reversed. That doesn't mean you shouldn't be able to read about his finding," Kahn said.

The ACLU will have to review the case filed before deciding whether to intervene, but Kahn said "if the factors are as reported, it certainly appears to be highly irregular. It's not the function of the appeals court to tell a publisher what he can and cannot print."

John Wilson, a Justice Department spokesman in Washington, said the government does not see the 10th Circuit's order as having anything to do with First Amendment issues.

We're saying he abused his discretion by including the names of the attorneys who we say are victims of allegations that are not correct. What we wanted to do was prevent the disclosure of their names. That's all there was to it. We aren't attempting to muzzle anyone," Wilson said.

Wilson said that if Winner agreed to delete the attorney names—Steven L. "Jake" Snyder, Thomas Blondin and Jared Scharf—the government would not oppose the publication of the opinion.

Winner, currently working as an adviser to a law firm, declined to comment about the 10th Circuit's order. But in response to Wilson's statements about deleting the names, he said, "If they want to talk about it they can call me."

William C. Waller, Kilpatrick's attorney, said he believes the order sets "a dangerous precedent."

"It's important to realize that we have a common-law system which relies on previous opinions in deciding questions of law. The government's conduct in a case is a developing area of the law, and courts have the right to see how other courts have dealt with it," Waller said.

Motions filed by Waller and attorneys for other defendants still involved in the case said the government's attempt to block publication "is a classic example of an effort to obtain prior restraint."

[From the Wall Street Journal, Jan. 25, 1984]

**ROCKY MOUNTAIN LOW**

All right, it's no Pentagon Papers case. The Justice Department's Tax Division recently got a federal appeals court to postpone publication of an opinion by a Colorado district court judge. The incident is full of sides and ambiguities. It is not the kind of trumpeting outrage that should summon forth the civil liberties soldiers to battle under the flag of high morality. But the case does pose a danger to free speech, and gives us a lesson in where similar dangers are liable to arise in the future.

In 1982 the Tax Division got a grand jury to indict a bank and various individuals for tax fraud in connection with an allegedly illegal shelter. The Justice Department issued a press release, as is its practice, an-

nouncing the indictment and naming names. This past summer, the district court judge ordered a new trial for the by-then last remaining defendant and called for hearings on whether the whole indictment should be thrown out.

The judge said preliminary evidence indicated that Justice Department lawyers had railroaded the grand jury. They allegedly had falsely told witnesses that testimony had to be kept secret, had threatened an attorney with prosecution to make him breach lawyer-client confidentiality, and had browbeaten an expert witness. The judge, too, named names, this time the names of the allegedly guilty department attorneys. He had his opinion printed and disseminated in preliminary form.

The Tax Division thought the judge's accusations, presented without giving the lawyers any chance to respond, were slanderous. The department got the appeals court to prevent the opinion from becoming part of the permanent volume of record until the court had finished further consideration of the whole matter. A department official says this was not prior censorship because the opinion is available in preliminary form.

This distinction between the preliminary printing of the opinion and the final printing does make the issue of prior censorship a little murky—but not much. What is important about the freedom to print is not just the ability to put your view before people for a given day or a given week. It is also—and even more important—the chance to form the record to which people will refer years from now. Closed societies do not just censor newspapers; they censor the history books as well, and for good reason. Prior censorship is as obnoxious in the latter case as in the former.

We sympathize with the Justice Department's wish to protect the reputations of its lawyers against accusations involving truly obnoxious prosecutorial practice. It is awful to be dragged publicly and unjustly through this kind of mud. In fact, this may be the time to remind these energetic prosecutors that public mudslinging before all the facts are in is just as awful for a private citizen whom the department has just visited with an indictment and a press release.

Judges should be very careful when leaning on prosecutors this way with the full weight of judicial authority. Prosecutors should be just as careful when leaning on the rest of us. ●

**LAUNCHING OF A NEW  
SUBMARINE**

● **Mr. TOWER.** Mr. President, the submarine *Augusta* (SSN-710), a 688-class nuclear-powered attack submarine, was launched this past Saturday in Groton, Conn.

This date also marked the 30th anniversary of the launching of the U.S.S. *Nautilus*, the world's first nuclear-powered submarine, which was also built by Electric Boat.

The principal speaker was the senior Senator from Maine, who is also the chairman of the Sea Power and Force Projection Subcommittee of the Committee on Armed Services.

His remarks are not only entertaining, but more importantly, they are a valuable reminder of the tremendous



importance to our Nation of seapower and superior naval forces.

I commend his speech to your attention, and request unanimous consent that it be inserted in the CONGRESSIONAL RECORD at this point.

The remarks follow:

THE "AUGUSTA" (SSN-710)

(Remarks by Senator William S. Cohen)

Mr. Conn, Admiral Thunman, Mr. Lewis, Officers and Men of the United States Navy, executives and workers of the Electric Boat Division of General Dynamics, Mayor Thompson and Members of the Augusta City Council, fellow citizens of Maine, Ladies and Gentlemen.

First, let me thank you for inviting my wife, Diane, and me to join you for this very special day and to extend our congratulations to the management of Electric Boat Shipyard and especially to the employees who have built this magnificent ship. It will be named after Maine's capital which has a great seafaring tradition and which (not coincidentally) happens to be Diane's birthplace. It will become one of the finest weapons in our Navy's arsenal of antisubmarine warfare.

The people of Maine historically have played a crucial role in our Nation's defense and, indeed, in at least one incident they produced a product that played a highly unusual one as well.

During the Second World War, the destroyer USS *O'Bannon* was patrolling in the western Pacific one night. It was clear; the waters were calm; the moon hung like a large wafer in the midnight sky. A messcook was getting some potatoes—some Maine potatoes—out of the "spud locker" up on the signal bridge level. The potatoes were stored outside so they would remain fresh longer. As that messcook was conducting his business, he saw a miniature Japanese submarine surface in the water next to the ship. He became excited, of course. He started shouting "Submarine!" to attract attention and simultaneously decided to attack. The closest things nearby were Maine potatoes, so he began throwing them at that submarine.

That submarine was sunk. As best the Navy could reconstruct the events of that night, the men on that Japanese submarine heard dull "thuds" on their hull, and thought they were in great danger, perhaps under a depth charge attack. We will never know for certain, because they commenced an emergency dive without shutting the hatch. The ocean flooded in, and the submarine sank.

Apparently, those Maine potatoes were the cause of that sinking. Later on, the Maine Potato Growers awarded a brass plaque to the destroyer, and it was mounted near the quarterdeck.

In the world of anti-submarine warfare, it is quite an honor to move from potatoes to nuclear powered submarines like the *Augusta*, armed with the Mark 48 torpedo and the Harpoon and Tomahawk cruise missiles, but I must say I am proud of the contribution made by Maine Potato Farmers and let me add that I have requested the Secretary of Defense to continue to feed our sailors Maine potatoes and to add Maine blueberries to that diet as well.

All of us are here to celebrate a special event—the birth of a new ship. It is a special ship that has as its mission the very gravest of responsibilities, the very noblest of goals—the protection of our homeland and the preservation of our freedom.

Just as the birth of a child comes not without pain, so the launching of this ship comes not without controversy and challenge by some. Of course, the freedom to question and challenge ideas, policies or programs is at the very heart of the American political system. We should not condemn or chasten critics but rejoice in the opportunity to listen and possibly learn from them—for none of us have yet monopolized truth and wisdom. But we should be equally eager to hold up history's flickering lamp to the trail of the past so that we can reconstruct how nations have been led into war, how and at what cost victory has been secured, and how peace—fragile as it may be—has been maintained for the past forty years.

We are blessed to live and work in a land of plenty and opportunity. Our skies, rivers and highways are crowded with commerce. Our industrial heartbeat has begun to pound with renewed vigor. Our soils are fertile. Our farmers productive. The song of economic recovery is beginning to ring again. A sense of optimism has begun to fill the veins of Americans once more as we move into 1984.

But even as the light of plenty and promise is upon our brows, we know that the dark shadow of peril has been cast over much of the globe. For as free as we are, most of the world's people are cast in physical or intellectual chains. In too many countries, there is poverty, discord, and danger. In too many nations, either tyrants or terrorists seek to destroy moral values that free men and women everywhere hold dear. And for all mankind, the fear of nuclear annihilation remains in the corners of our consciousness.

Those of us who believe in and support a strong national defense do not mean to diminish or trivialize this fear of nuclear war. We are all aware that human existence is now hostage to the hair trigger of science and that we can slip back into the Stone Age as easily as we can glide toward the mysteries of the 21st Century.

But fundamental to reversing the arms race must be a mutuality of desire, a mutual call for peace that is matched with visible and verifiable deeds and not soothing words and talismanic phrases.

As President Eisenhower said to us more than a quarter of a century ago, "the building of such a peace is a bold and solemn purpose. To proclaim it is easy, to serve it, will be hard. And to attain it, we must be aware of its full meaning—and ready to pay its full price."

Our freedom has provided us with the opportunity for unprecedented economic prosperity and fundamental to maintaining that prosperity is having free and open access to the corridors of commerce, the trade routes of the world. A cut in the sea lines of communication is equivalent to a cutoff of oxygen supply to our lungs, for economically and geographically, we are essentially an island nation.

The Soviet Union, on the other hand, is basically a continental power. In theory, they have no need for either a navy or a merchant marine. But theory is contradicted by reality. The fact is that the Soviet Union has been continually expanding its naval forces in scope and mission since the end of World War II—a pace of naval growth that has accelerated over the past decade and one that we have not come close to matching. While their submarines are not as quiet or as capable as ours, quantity eventually comes to have a quality of its own. They are also exceeding us in the

growth of their Merchant Marine and moreover, we are feeling the pressure not only from the Soviets themselves but from the many surrogates operating at their command.

The Sea Power and Force Projection Subcommittee plays a major role in reviewing the Navy's shipbuilding budget and, of course, we receive intelligence briefings on Soviet naval developments.

Let me review briefly the submarine portion of the Soviet threat that faces us.

In a moment, I am going to release information that has not been declassified until now.

Last year, the Defense Department issued a booklet called "Soviet Military Power." It shows that the Soviet Union has been building 12 submarines per year, up until 1982, when the number decreased. What was the reason for the decrease? There were two alternatives: either the Soviets were retooling for new production, or else production actually slowed down.

The verdict should never have been in doubt. The Soviet Union was retooling for production of newly designed submarines. Our intelligence sources expected to see two or three new classes of submarines, and they were right, in part. Three new classes did appear—the *Oscar*, the *Alfa* and the *Typhoon*—but they were surprised by the unexpected early appearance of two additional new classes, the *Mike* and the *Sierra*. The *Mike* appears to be a follow-on to the very high-speed deep diving *Alfa*, while the *Sierra* appears to be a follow-on to the *Victor*.

It is clear that the Soviets are building a blue water navy in order to project power to distant lands and to be in a position to challenge our naval capability whenever they see it expedient to do so.

And none of us should ever forget the sight of Soviet ships trying to frustrate and intimidate our vessels in the Sea of Japan; the ships that were engaged in the search for the wreckage of the Korean airliner that they had shot down. It was an act of arrogance and contemptuousness and it is but a sign of what we can expect to see in the future if we allow our domination of the seas to slip into a state of neglect and inferiority.

Today's ceremony and christening of the *Augusta* is evidence that naval supremacy has been our history and will continue to be our future. The price is high but in the final analysis, a soldier's pack, in President Eisenhower's words, is not as heavy as a prisoner's chains. If we are strong, we will have the freedom to negotiate a lasting and durable peace with our adversaries. If we are weak, there will be no negotiations; no pipes will play of peace, only of appeasement.

As we search for a true and lasting peace, let us remain vigilant and strong so that no adversary will confuse our moral quest with a policy of slow capitulation or be misled into calculating that we would ever placate an aggressor by trading our principles for our privileges.

The people of Maine are known for their pride, their integrity, and their fierce independence.

May the *Augusta* help us to keep all of America and her allies proud, principled, and free.®

Mr. PROXIMITY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BOSCHWITZ). Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### UNANIMOUS-CONSENT AGREEMENT—S. 1762

Mr. BAKER. Mr. President, earlier I had announced that I hoped we could reach the Comprehensive Crime Control Act of 1983 at this time, and to enter a unanimous-consent request that would limit the amendments that might be in order.

Since that announcement, I have had the opportunity to check our cloakroom and to confer with the minority leader and his staff. Apparently there is no objection to such a request. I have been authorized to say the minority leader has reviewed this arrangement and does not object.

Mr. President, let me now put the request.

Mr. President, I ask unanimous consent that when the Senate proceeds to the consideration of Calendar No. 391, S. 1762, the Comprehensive Crime Control Act of 1983, it be considered under the following agreement:

I ask unanimous consent that no amendment dealing with the death penalty, the exclusionary rule, the control of firearms, the Hobbs Act, habeas corpus, an Office of the Director of National and International Drug Operations and Policy, a Select Commission on Drug Interdiction and Enforcement, or the Federal Tort Claims Act be in order.

Finally, I further ask unanimous consent that no amendment dealing with a proposed limitation of jurisdiction of authority of the Federal judiciary be in order.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Mr. President, there is no objection to this agreement on this side. I thank the majority leader.

The PRESIDING OFFICER. Is there objection?

Mr. MATHIAS. Mr. President, reserving the right to object, it is my understanding that the minority leader will allocate specific times for Members the first of the week.

The PRESIDING OFFICER. Will the Senator use the microphone, please?

Mr. BAKER. Mr. President, I understand the Senator asked if time will be provided next week, or at the conclusion of the consideration of the crime

package, for the consideration of other items. Is that correct?

Mr. MATHIAS. Under the original agreement on this matter, we did provide for a specific time for various members of the Committee on the Judiciary to be assured that all Senators had the opportunity to speak.

Mr. BAKER. Mr. President, I would say to my friend from Maryland there is no restriction on time, no limitation on time. Any Senator who wishes to speak will be entitled to do so. There will be no effort by the leadership on this side to try to limit the time for debate.

Mr. MATHIAS. Mr. President, if there should be an effort made by any Member of the Senate to limit time on this matter, I would appreciate it if the leadership will advise Members.

Mr. BAKER. I thank the Senator, and I can assure him that we will make a notation to that effect. Members will be notified if there is any subsequent agreement affecting this arrangement at all.

I might say, Mr. President, that while it is not part of this agreement, it is clearly a part of the understanding—and I have made assurances to this effect to the minority leader and other Senators—that as soon as we finish the crime package we are going to the ancillary measures which have been excluded from this package, and do so immediately.

I see the Senator from Pennsylvania is also on his feet. I have indicated to him that I will include in that scheduling subsequent to this action the career crime bill, which I believe the distinguished chairman of the Judiciary Committee has agreed might be scheduled along with these other items.

Mr. SPECTER. Mr. President, will the majority leader yield for a question?

Mr. BAKER. Yes.

Mr. SPECTER. Under the arrangements I discussed with the chairman of the committee, Senator THURMOND, it was projected that the career criminal bill would be taken up immediately following the crime package. I would like to have that scheduled, if it is agreeable to the leadership.

Mr. BAKER. Mr. President, I do not personally have any problem with that. The minority leader is not here on the floor. When he left, I indicated to him that we would immediately go to the four excluded items. If I can be relieved of that commitment to him, I will be glad to do that.

Mr. SPECTER. That would be acceptable to the Senator from Pennsylvania, pending agreement with the minority leader, that the career criminal bill follow the current package.

Mr. BAKER. I am perfectly willing to do that. Once again, I have to check with the minority leader before I can specifically agree to that. But I can

assure the Senator that we will either do it that way or we will do it before we end the consideration of this package.

Mr. SPECTER. Will the majority leader put the career criminal bill at the end of the package, if possible?

Mr. BAKER. I will try to do that, yes.

The PRESIDING OFFICER. Without objection, the unanimous consent is agreed to.

The text of the agreement is as follows:

*Ordered*, That during the consideration of S. 1762, the Comprehensive Crime Control Act of 1983, no amendment dealing with the following matters shall be in order: the death penalty, the exclusionary rule, the control of firearms, the Hobbs Act, habeas corpus, an Office of the Director of National and International Drug Operations and Policy, a Select Commission on Drug Interdiction and Enforcement, the Federal Tort Claims Act, or a proposed limitation of jurisdiction of authority of the federal judiciary.

#### BUDGET ACT WAIVER

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate now turn to the consideration of Calendar Order No. 430, Senate Resolution 218, the Budget Act waiver.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

Mr. BYRD. Mr. President, there is no objection.

There being no objection, the resolution (S. Res. 218) was considered and agreed to as follows:

#### S. RES. 218

*Resolved*, That pursuant to section 402(c) of the Congressional Budget Act of 1974, the provisions of section 402(a) of such Act are waived with respect to consideration of S. 1762. Such waiver is necessary because S. 1762, as reported, authorizes the enactment of new budget authority which would first become available in fiscal year 1984, and such bill was not reported on or before May 15, 1983, as required by section 402(a) of the Congressional Budget Act of 1974 for such authorizations. Further, the package was not presented by the administration to the Senate Committee on the Judiciary for consideration until March 23, 1983. Due to the volume of the proposals, the committee could not hold hearings and take responsible action prior to the deadline.

The budget waiver will allow Senate consideration of S. 1762 which amends title 18 of the United States Code by revising Federal criminal laws, reorganizing administrative procedures and civil proceedings and changing terms of imprisonments and fines. Some new offense categories are specified and certain existing offenses are redefined. The bill also allows the detention of defendants believed to present a danger to the community and requires additional prison time for individuals who commit offenses while on release. In addition, a United States Sentencing Commission is created for the purpose of establishing sentencing policy guidelines. Authorizations are also provided for a



number of new and existing programs within the Office of Justice Assistance.

The estimated cost to the Federal Government for S. 1762 is \$96,000,000 for fiscal year 1984, \$126,000,000 for fiscal year 1985, \$137,000,000 for fiscal year 1986, \$146,000,000 for fiscal year 1987, and \$84,000,000 for fiscal year 1988.

### COMPREHENSIVE CRIME CONTROL ACT

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 1762) entitled the "Comprehensive Crime Control Act of 1983."

The Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary without amendment and from the Committee on Foreign Relations with amendments, as follows:

On page 340, line 11, strike "rape" and insert "forcible sexual assault".

On page 344, line 12, strike "persuaded" and insert "determines".

On page 344, line 24, after "... (3) is" insert "final and is".

On page 345, line 1, strike "review: Provided, however, That in" and insert "review. In".

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I am privileged today to stand with the distinguished Senators from Nevada (Mr. LAXALT), chairman of the Subcommittee on Criminal Law, and Delaware (Mr. BIDEN), ranking minority member of the Committee on the Judiciary, to support Senate passage of S. 1762, the Comprehensive Crime Control Act of 1983.

Mr. President, we simply must do a better job as a nation in controlling crime. It is imperative that the Federal Government have the tools needed to be effective in its crime fighting role, two prominent aspects of which are organized crime and illegal narcotics trafficking. Our citizens have a right to expect Congress to act on these important matters; and these are important matters. Mr. President, in my judgment, if this bill can be enacted in substantially the same form as now presented to the Senate, it will make the most important legislative contribution to effective Federal law enforcement efforts, particularly against organized crime, violence, and illicit drug trafficking, since the Omnibus Crime Control and Safe Streets Act of 1968, the Organized Crime Control Act of 1970, the Controlled Substances Act of 1970, and the Controlled Substances Import and Export Act of 1970.

Mr. President, this measure has broad bipartisan support. Not only is the bill strongly supported by the administration, but Senator LAXALT and I have worked closely with Senators BIDEN, the ranking member, and Sena-

tor KENNEDY, a former chairman of the committee, to finally provide an opportunity for the Senate to consider a major anticrime proposal that includes improvements on such matters as bail, sentencing, forfeiture, drug penalties, the insanity defense, justice assistance, surplus Federal property for correctional purposes, foreign currency transactions, and miscellaneous violent and nonviolent crime and procedural issues. Senators BIDEN and KENNEDY have played an important role in the development and processing of this bill, particularly with respect to bail reform, sentencing reform, and forfeiture. Their interest and expertise in comprehensive improvements to Federal law enforcement statutes date back many years and have proved most helpful.

I sincerely hope that these distinguished Senators, as members of the other party, will use their good offices to encourage key members of the House to promptly consider and act on this measure when it reaches that body. It would be tragic indeed if we miss again an opportunity to better equip our Federal law enforcement establishment in a major way with the tools to make their task more effective.

Mr. President, I should also note for my colleagues that S. 1762 draws heavily upon the recommendations for major crime legislation made by the President of the United States that I introduced, along with Senator LAXALT, as S. 829 on March 16, 1983. Certainly, without the help of the chairman of the Subcommittee on Criminal Law, Senator LAXALT, and the cooperation of the Department of Justice, we would not be on the threshold of Senate passage of this important measure. Again I would like to emphasize that passage of this bill by the Senate is not enough. I strongly urge the President and the Attorney General, following action by the Senate, to focus on the importance of the crime issue to the American people and to use their influence to encourage the House to act on the full scope of this bill rather than some watered-down inadequate response to the problems confronting us.

Mr. President, I have not touched upon the details of this bill because an extensive summary was included in the RECORD with my remarks when the bill was reported by the Committee on the Judiciary on August 4, 1983 (See 129 CONGRESSIONAL RECORD S11680-S11706). In addition, the provisions of the bill are explained in detail in the committee report, Senate Report No. 98-225, filed September 14, 1983.

Mr. President, this is a good bill that should be promptly passed. I hope we can finish the measure as soon as possible with a vote that will send a message to the House that now is the time to act on major crime legislation.

● Mr. LAXALT. Mr. President, I am indeed pleased to join my chairman, Senator THURMOND, and our colleagues on the Judiciary Committee, Senator BIDEN and Senator KENNEDY, to speak on behalf of S. 1762, the Comprehensive Crime Control Act of 1983. I am pleased not only because the 41 parts of the act embody the most significant, far-reaching reforms to the criminal justice system made in over a decade, but also because this act results from tremendous bipartisan efforts that have shown our institution at its very best. The Comprehensive Crime Control Act is the product both of unstinting work by the Reagan administration, whose efforts to combat crime are unsurpassed in recent history, and of yeoman endeavor by Senators on both sides of the aisle.

It is impossible here to catalog all the hearings, both last Congress and this, that laid the groundwork for S. 1762, just as it would be impractical to commend by name every Senator who toiled long and hard over its provisions. Rather, to illustrate the wide-ranging cooperation that went into shaping this bill, let me cite just a few of our colleagues whose diligence made such monumental reform possible.

Without the absolute dedication of Senator THURMOND, of course, criminal justice reform would only be a dream, and a misty, unfocused dream at that. As Chairman of the Judiciary Committee, he has provided the political impetus needed to get S. 1762 to its present state; he also played an enormous role in shaping the substance of the bill. He has worked on every aspect of the crime package, and has paid special attention to the provisions relating to the insanity defense, wiretapping, and extradition.

Senators BIDEN and KENNEDY have also provided tremendous leadership in molding S. 1762 and bringing it to this point. Their sustained interest in these issues dates far back; Senator KENNEDY's and Senator BIDEN's work on sentencing reform, for example, spans four administrations. Senator BIDEN played a key part, too, in formulating the drug forfeiture provisions contained in this bill; and both he and Senator KENNEDY were very actively involved in drawing up the justice assistance sections of S. 1762 and in working with Senator SPECTER on the parts of the bill relating to juvenile offenders.

Senator HATCH has also worked very hard on the bill, taking the lead, for example, on the vital issue of bail reform, as well as on a number of other issues. Senator SPECTER, too, has been mightily involved, helping to shape the insanity defense provisions; working with the administration, Senator DOLE, and Senators BIDEN and KENNEDY on the Justice assistance

provisions; joining with Senators DOLE, GRASSLEY, and D'AMATO to increase Federal aid for State prison facilities; and combining with Senator GRASSLEY again on the child pornography problem. I should note that Senator GRASSLEY was also responsible for the arson sections of the bill and worked with Senator JEPSEN to devise the pharmacy robbery provisions.

Senator EAST also labored hard on the bill, and, with Senator HELMS, was instrumental in formulating the tough drug enforcement sections. Senator DENTON was a major contributor to the bill, working on sentencing reform, crimes by foreign agents, and a number of other areas. Senator SIMPSON was essential in crafting the bill, and I have already mentioned Senator DOLE's great help.

Senator BAUCUS should be noted for this work on livestock fraud and on making improvements in the witness security program, along with Senator COCHRAN. Senator HEFLIN, too, was of great help; I single out, for example, his work on crimes involving damage to energy facilities. Senator ROTH's foreign currency amendments, Senator NUNN's labor racketeering amendments, and Senator PERCY's help on the extradition problems should all be recognized, as should the efforts of Senators DECONCINI, HAWKINS, BENTSEN, and CHILES. I salute the work of these Senators, and of all the others who helped create this historic piece of legislation.

The reason for such unusual bipartisan consensus is not hard to define: This country continues to be ravaged by a crime epidemic of tremendous magnitude, and citizens insist upon action. The urgency of the threat confronting our Nation does not, of course, make our near unanimity on this anticrime package any less gratifying, but it does demand that we complete action on this bill in short order.

According to the latest crime data, a murder is committed every 23 minutes, a rape every 6 minutes, a robbery every 58 seconds, and a burglary every 8 seconds. Almost one-third of the Nation's households were touched by a crime of violence or theft in 1982 alone. While this statistic has been somewhat in decline since 1980, it remains a horrifying figure. Even more shocking is the fact that so many of these facts of violence are carried out by criminals who, once arrested, are quickly loosed on society again to continue their depredations. There is no instant Federal panacea for the problem, but, as S. 1762 demonstrates, we can take a number of concrete steps to increase a criminal's likelihood of being caught, and to insure that once captured and convicted, he faces swift, firm, and just punishment.

Justice Rehnquist recently made a very perceptive speech in which he commented on a mood abroad in the

land that has been sensed by everyone from the editors of the Wall Street Journal to the writers of Hollywood scripts. What Justice Rehnquist and the others have noted is that people are demanding that our justice system dispense justice. We do not want an authoritarian state, and we certainly desire to insure that the rights of all are protected, but we have had our fill of rules that coddle criminals and punish the rest of us. Despite what that small, entrenched minority of citizens opposing criminal justice reform will say, the rights of the victimized are not less important than the rights of the attackers, and sure, quick, and fair punishment of criminals is not somehow inconsistent with civil liberties. It is essential that our Federal Government continue to accord due process of law to its criminal defendants, but—and here I quote Justice Rehnquist—"equally important, is the extent to which a society succeeds in vindicating the moral judgments of its members as they are embodied in its criminal laws. A breakdown in the criminal justice system leads eventually to a state of anarchy, and no society will long tolerate anarchy."

S. 1762 is designed to make a start toward putting our Federal criminal justice system in order and toward warding off the dangers to which Justice Rehnquist refers. We will soon have occasion to debate other bills already passed by the Judiciary Committee that, I believe will help to carry this process further. The bill currently before us encompasses, as I say, a wide variety of long awaited Federal reforms. It limits the insanity defense, allows Federal judges to consider danger to the community when setting bail, and seeks to insure that criminals who commit similar Federal offenses receive similar sentences and serve similar terms. It contains criminal forfeiture proposals, provisions to combat the sexual exploitation of children, labor racketeering amendments, and a wide assortment of other urgently awaited Federal criminal code improvements. Additionally, it increases technical and financial aid to the State and local law enforcement agencies that fight 90 percent of our battle against crime.

The 40-plus proposals presented in S. 1762 reflect a consensus not only among the administration and Republican and Democratic Senators, but—and far more importantly—among the American people in general. I am confident that we in the Senate will continue to fulfill our obligation to help make these reforms become law. ●

● Mr. BIDEN. Mr. President, the Senate Judiciary Committee has worked for over a decade to develop a comprehensive crime bill which would make the reforms essential to a fair and effective Federal criminal justice

system. Unfortunately, partisan concerns and the unwillingness of some Members of the Senate, the House, and representatives of the administration to compromise prevented enactment of substantial reform legislation in the past.

Last Congress, a criminal law reform package met with a degree of success many thought impossible. Everyone in this Chamber knows how far the crime package progressed: The Senate passed the Violent Crime and Drug Enforcement Improvements Act of 1982 (S. 2572). Although we sent the bill to the House very late in the session, the members of the House Judiciary Committee demonstrated a willingness to devote long hours to reach agreement on substantial portions of the bill. In addition to the final package, many compromises were reached in bail and sentencing reform. In fact, insufficient time at the end of the session may have been the major factor which prevented final agreement in bail and sentencing. Although the President vetoed the final package, he expressed strong support for substantial portions of its contents.

I believe Chairman THURMOND will agree with me that successful Senate and House passage of comprehensive anticrime legislation last Congress taught us some very important lessons.

First, under Chairman THURMOND's leadership, the members of the Judiciary Committee and ultimately the Senate recognized the need to compromise and develop comprehensive legislation with bipartisan support. To achieve that goal Senators have agreed to process important anticrime bills as separate legislation because they recognize that one controversial provision could slow or halt progress on the entire package.

Second, we found substantial agreements in our negotiations with Members of the House by deleting from the package those provisions which would be so controversial that they would jeopardize House passage.

The lessons of last Congress have brought us to the point we are at today with this comprehensive anticrime package.

This bill, similar to the bill last Congress, is the product of many years of work in this Congress by nearly every member of the Judiciary Committee. Those efforts have resulted in a package consisting of many of the most important crime bills before the Congress. The most significant of these bills make substantial changes in current law in the areas of sentencing, bail, and forfeiture.

The proposed new sentencing procedures will, for the first time, establish a structure for the imposition of sentences—a structure which will include harsh sentences for the repeat and



violent offenders who cause a disproportionate number of crimes, and prison sentences which will be served without early release on parole. The bail reform proposals will give courts the power to protect the community from dangerous persons who have been arrested and are awaiting trial. The forfeiture reform will strengthen prosecutors' authority to reach the money and assets acquired with the profits from illegal activities.

When the Senate considered the crime package during the 97th Congress, Senator LEVIN introduced an amendment to establish a mandatory minimum sentence for the commission of a Federal felony with the use of a firearm.

The Levin amendment provided for at least 1 year in prison on the first offense and at least 5 years in prison for second and subsequent offenses.

As modified by Senator BUMPERS to provide 2 years for a first offender, this amendment was ultimately adopted by the Senate.

S. 1762 includes a mandatory minimum provision which further modifies the Levin/Bumpers amendment of the 97th Congress.

The proposal initiated by Senators LEVIN and BUMPERS will strengthen the current law and have a greater deterrent effect, thereby discouraging the use of firearms.

Additionally, legislation which I very strongly support, the establishment of a Cabinet level position to coordinate and direct policy for the 9 Cabinet Departments and 33 Federal agencies involved in the Federal narcotics effort falls into the category of proposals which could slow or possibly prevent enactment of a comprehensive crime package. I have therefore moved that legislation separate from this package.

Many of my colleagues on both sides of the aisle strongly support legislation which they would have liked to have included in this package. They have also agreed to move those bills which are controversial as separate legislation because they recognize that passage of a comprehensive crime package is the most important goal.

The bipartisan package before us today is nearly identical to the bill which passed the Senate last Congress. It is my hope that we can work together with our colleagues in the House and build upon the substantial progress we made last Congress so that we will finally see this essential legislation enacted.●

Mr. THURMOND. Mr. President, I yield to the distinguished Senator from Maryland (Mr. MATHIAS), a distinguished member of the Judiciary Committee.

Mr. MATHIAS. I thank the distinguished chairman of the Judiciary Committee, the President pro tempore, for yielding to me.

Mr. President, today, the Senate turns to consideration of S. 1762. This is an omnibus bill, characterized by its proponents as a consensus package of improvements needed to respond to the challenge of violent crime. There may be a consensus in support of this bill, but, if there is, it seems to me that it is a consensus based in great part on less than a full understanding of the provisions of the bill.

I suspect that, at the beginning of this debate, there are very few Senators who are fully aware of the dozens of dramatic changes in the Federal Criminal Code with which the pages of this bill are studded. Many of these departures from current practices are, in my view, ill advised. But some of the major problems with this legislation are not too difficult to ferret out. The longest single part of the bill, which is title II, contains sentencing reform proposals which are ill conceived and inflexible and potentially quite costly. In earlier debate on a similar proposal, I called it a budget buster. I suspect the same epithet would be applicable to this bill. It is to this title that I address most of my remarks today and probably, without unduly limiting myself, in the days that will be consumed by the debate ahead of us.

I wish to advise the Senate that I plan to offer four amendments to the sentencing provisions which are contained in title II of the bill before us.

It is my hope that these amendments would correct some of the deficiencies in the sentencing guideline scheme which would be created by the bill. The proponents of the sentencing reform contained in S. 1762 base their proposals on two observations about the criminal justice system with which hardly anyone disagrees.

First, there is too much disparity in criminal sentencing. Second, sentences to imprisonment are too indeterminate in duration.

In stating the problem in this way, I have tried to choose my words with some care. Any fair sentencing system would necessarily have to contain some degree of disparity. No two offenses, no two offenders, are identical. Any system which would treat them as if they were identical would be arbitrary, not equal.

Similarly, some degree of indeterminacy is desirable, in order to give an offender an incentive to stay out of trouble after conviction, or in order to be flexible enough to accommodate unexpected fluctuations in prison population.

Having said that, Mr. President, I think there is, again, no disagreement that there is too much disparity and too much indeterminacy. But disagreement arises with respect to the best way to reduce the disparity and the indeterminacy. I would have to offer it as my humble and respectful opinion

that the solution provided by title II is illusory. It would replace today's unstructured sentencing practices with an inflexible and potentially very costly guideline system.

The Federal judges and the U.S. Parole Commission are two of the most visible actors in the current sentencing system. Not surprisingly, therefore, they are the targets of this bill. The bill would abolish the Commission and it would consign the judges to the task of operating a sentencing decision machine designed and built by someone else.

I have to say that one of my problems with title II is the fact that I read in it a profound mistrust of the Federal bench. I would like to be wrong on this—perhaps I shall be corrected in the course of debate. But as we enter the debate, I read in title 2 an underlying mistrust of the Federal bench. It is an attitude which assumes that Federal judges, acting through the Judicial Conference, would be unwilling or unable to draw up sentencing guidelines even if they were instructed to do so by the Congress of the United States.

It seems to me that title II further assumes—I hope that the sponsors of the measure can convince me otherwise—that Federal judges would not conscientiously apply voluntary guidelines but, instead, must be stripped of their traditional sentencing discretion and instructed to adhere to preordained guidelines except in the most extraordinary circumstances.

All of this seems to me to overlook the obvious, that the cooperation of the bench is an essential ingredient of any effective sentencing reform.

The Judicial Conference is skeptical about this bill. The committee has rejected the sensible alternatives that the judges have proposed. We thus have a climate which does not augur well for the success of this experiment.

I think we should recognize that simply drastically reducing judicial discretion in sentencing, as title II proposes to do, will in no way eliminate discretion from the system. It will merely displace discretion from the courtroom, where it is now exercised before God and the company assembled there, where it is now exercised under the scrutiny of the press and the public, and relegate it to other venues.

Now, that discretion displaced from the courtroom will turn up in other places. It will turn up in the offices of the U.S. attorneys, whose individual charging and plea bargaining policies will dictate the sentence for the vast majority of defendants, certainly for those who plead guilty. It will creep into the work of the probation officers who, under this bill, will have the awesome responsibility of transforming a

very complex array of facts about the offender and about the offense into one box on a grid of offense and offender characteristics—the typical kind of bureaucratic paperwork. And of course this discretion will become the daily bread of the new U.S. Sentencing Commission, which is a body that is proposed to be appointed by the President of the United States but not given life tenure, not insulated in that way from the kind of pressures that have so often corrupted the administration of justice.

I seriously doubt that the public will be better served when instead of reposing responsibility is a U.S. district judge, approved by the Attorney General of the United States, nominated by the President of the United States, and confirmed by the U.S. Senate, there will be a kind of collective responsibility exercised by the U.S. attorney, by the probation officers, and by the members of the Commission. All of these people will become responsible, and therefore as is the human experience with collective responsibility that really means none of these people will become responsible for the sentence imposed on a Federal criminal defendant.

I think we have to recall that the Sentencing Commission's responsibilities will not end with the creation of the sentencing guidelines because this is a new bureaucracy. This bill is not only a budget buster, it creates new bureaucracy. This new bureaucracy will be empowered to promulgate regulations on a vast array of issues which today are confided to judicial discretion.

There is no evidence that the Federal bench is incompetent to decide questions such as when sentences should be modified on humanitarian grounds. So there is no justification for the powers which the bill would give to the Sentencing Commission in these collateral areas. I think it is ironic that some of the Senate's most vociferous foes of big government and of unbalanced budgets have lent their support to this proposal to create yet another Federal bureaucracy with a sweeping charter to impose solutions for problems that have not been proved to exist.

Now, again, I have called this bill a budget buster, and there is nothing in the consideration that we have given it that has caused me to modify this view. If enacted, title II will increase Federal expenditures in several ways. It would create a multimillion-dollar sentencing commission with a permanent charter. It would transfer the responsibility for post-release supervision from the relatively efficient parole commission to the Federal courts, necessitating hundreds, maybe thousands, of jury trials a year on contempt petitions. This comes at a time when the Chief Justice of the United

States is pleading with the Congress to do something about the workload of the courts. This action was not, I believe, what the Chief Justice has in mind when he made that plea.

Most significantly, I cannot see that the bill would do anything to reverse that alarming trend toward more and more indiscriminate use of incarceration in the Federal prisons which are already bulging with the highest prison population in history, despite the recent evidence of a leveling-off or a decline in crime rates.

Just this morning, this very morning, the Washington Post reported that the average Federal prison sentence increased from 43.1 months in 1978 to 55.3 months in 1982. As a result, the Washington Post reports today that Federal facilities now house 25 percent more prisoners than they were designed to contain. Senate bill S. 1762 will do nothing to reverse this trend. I believe that it would accentuate it.

The report accompanying the bill professes neutrality toward the appropriateness of incarceration. The committee rejected an amendment which would have required the imposition of the least severe appropriate sanction in each case and the committee also refused to direct the sentencing commission to design its guidelines to avoid increases in the prison population or in the average sentence served by Federal prisoners. And, finally, the committee rejected safety valve provisions which would have permitted even the modification of sentences where that action may be needed to prevent serious overcrowding of prison facilities.

So this course of action suggests that the proponents of this legislation should reconsider the need to build in the safeguards which will protect against the fiscal and social costs of over-reliance on incarceration.

If there is any Member of the Senate who thinks that I may be exaggerating this possibility, I suggest that they merely look at the most concrete evidence that I can think of. I use "concrete" not as a figure of speech but as a noun, because there are today private corporations going into the prison business. Private corporations are pouring concrete and building prisons which they intend to rent to Government as a profitmaking enterprise because they see the growth of the prison population. They see that this is a need, they want to get in on the action, and they are pouring the concrete today.

When you have private corporations planning to enter the business of housing prisoners for profit, it seems to me the Senate wants to take a very careful look at the projections of the size of the prison population.

Anticrime rhetoric we all love to utter. Everybody is against crime, and

we like to make the speeches to prove it. But anticrime rhetoric for consumption today seems to me to be more evident in this bill than the prudent planning that is necessary to minimize the burden on tomorrow's taxpayers.

Title II occupies less than a third of the bill. Some of the remainder of S. 1762, particularly the justice assistance provisions of title VI, include important initiatives in the fight against crime. Other provisions will offer the public more rhetoric than useful resources. What most strikingly characterizes title II are the unanswered questions about the intentions and the likely effects of this sweeping reform.

Now that the Senate has turned to this legislation, I hope that every Senator will join in posing these questions, in giving thorough consideration to the responses that committee members may make, and, most important, in helping to shape the final answers which may someday be embodied in the statutes of the United States.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ABDNOR). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THURMOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, in response to the distinguished Senator from Maryland, I just want to say that the provisions to which he is objecting were contained in S. 2572, which passed the Senate on September 30, 1982, by a vote of 95 to 1. The able Senator from Maryland at that time spoke against the bill and was the only Senator who voted against it.

Also, the provisions he is objecting to in this bill were added to H.R. 3963, which passed the Senate unanimously on the same day. Ultimately, a small number of crime proposals passed the House and Senate as H.R. 3963, but these major sentencing provisions were not included in the bill as finally passed. The President, of course, pocket-vetoed H.R. 3963 because of so-called drug czar provisions. The point I want to emphasize here is that the sentencing title in S. 1762 has been acted on by the Judiciary Committee a number of times and passed the Senate as a part of S. 2572 in September 1982 by a vote of 95 to 1.

Mr. President, I will not take a lot of time now. I may answer the Senator in more detail next week. But the point is that these provisions have been carefully studied by the Judiciary Committee, and this package was reported by the committee. We have worked hard on this bill. We think we have an excellent bill. We hope that



when the Senate votes on this bill next week, it will see fit to pass this package, which has already had much consideration.

I might add that the Justice Department has carefully studied this bill. They approve of this package. The President of the United States has advocated this package. He approves the bill. The ranking minority member, Senator BIDEN, and the minority on our committee, approve it. We are all together on this bill. I hope the Senate will see fit to pass it without delay when it comes up again next week.

I yield to the distinguished Senator from New York.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. I thank the Senator.

Mr. President, in a short time from now, I shall ask the permission of our distinguished chairman, the President pro tempore, to submit a colloquy between myself and the distinguished Senator from Nevada (Mr. LAXALT) regarding the legislation I have introduced concerning what are called cop-killer bullets—bullets that are able to penetrate the protective equipment that is now issued by the force.

Senator LAXALT has generously suggested that if we do not offer it as an amendment to this important legislation, he will hold hearings at a later date. But for the moment, we need to get his signature, and it will be here in a short while, within a matter of moments.

#### HANDGUN AMMUNITION PROVISIONS OF S. 1762

Mr. President, I had planned to offer an amendment to the Comprehensive Crime Control Act, an amendment to strengthen the bill's provision on armor-piercing handgun ammunition. As currently written, S. 1762 provides criminal sanctions for the use of armor-piercing handgun bullets in a crime of violence. My amendment would modify this section by imposing a ban on the import, manufacture, and sale of these bullets. I quite agree that anyone who uses armor-piercing handgun ammunition for criminal purposes should be punished severely. I fear, however, that criminal sanctions alone will not provide police with the degree of safety they deserve.

For that reason, on February 17, 1983, I introduced the "Law Enforcement Officers Protection Act of 1983" (S. 555). This legislation would limit the availability and use of armor-piercing handgun ammunition, bullets of use only to penetrate the bullet-resistant vests worn by police. There is an urgent need for this measure. The development of bulletproof vests in the mid-1970's provided law enforcement officers with significantly more protection than had previously been the case. These vests have been credited already with saving the lives of some

400 law enforcement officers. However, these vests are rendered virtually useless by a new type of bullet, one that recently has entered the market in large numbers.

These high-velocity, small-caliber, pointed bullets, made of hard alloy or steel-jacketed lead, have no legitimate commercial value. Tests have shown that a single one of the most powerful of these bullets can penetrate the equivalent of four bulletproof vests. An FBI report issued in 1982 identified eight different bullets capable of penetrating the most commonly worn police vests.

The bill I have introduced would require the Department of the Treasury to determine which handgun bullets, when fired from a handgun with a barrel 5 inches or less in length, are capable of penetrating the equivalent of 18 layers of Kevlar, the standard composition of most police vests. Kevlar is a trade name.

I note, Mr. President, that with a barrel of 5 inches or less, we are not talking about target practice pistols or competition pistols, we are talking about the handguns that criminals use to kill police officers when the encounters come.

My legislation would ban the further manufacture, import, sale, or use of these bullets, except when authorized by the Secretary of the Treasury for law enforcement or military purposes. Any licensed importer, manufacturer, or dealer who violated this act would be subject to a fine, imprisonment, and revocation of his Federal license. Persons carrying an illegal bullet during the commission of a felony would be subject to mandatory minimum sentences.

The companies presently manufacturing armor-piercing handgun bullets claim they are intended for police use, yet not one police department in the country will employ them—not only because of their awesome penetration capacity, but also because they pose greater ricochet hazards than more conventional ammunition. Only a few months ago, on September 13, 32 armor-piercing handgun cartridges were found in the home of a bank robbery suspect arrested by Nassau County police in my own State of New York. What legitimate reason, may I ask, did he have for possessing these lethal bullets? In my view, none whatsoever.

The Nation is slowly awakening to the senseless danger posed by these bullets. Already, 11 States have enacted laws against armor-piercing handgun bullets. I understand that at least seven more States are considering such legislation. Police officers are pleading for protection. This amendment has the public support of the International Association of Chiefs of Police, the Fraternal Order of Police, the International Union of Police As-

sociations, as well as dozens of other national and State law enforcement organizations. As sentiment across the country builds against "cop killer" bullets, it is incumbent on the Senate to address the issue. In the interest of allowing all Senators to act upon this measure from a position of maximum knowledge, I am willing to not offer this amendment at this time, as my distinguished colleague from Nevada has agreed to schedule a hearing at the earliest possible date on the matter and proliferation of "cop killer" bullets and my proposal, S. 555.

This hearing will provide the Department of Justice with an opportunity to inform the Senate on the Department's own efforts to provide a definition of armor-piercing ammunition suitable for legislation to ban these bullets. It will also give law enforcement officials a chance to present their views to Congress.

Mr. LAXALT. I thank my distinguished colleague from New York for his interest in providing our law enforcement officers with the maximum degree of protection against the use of armor-piercing ammunition. The provisions of S. 1762 concerning this type of ammunition are directed at the criminal use of armor-piercing handgun bullets. The Judiciary Committee hopes that these provisions will provide an effective means of deterrence to those who may consider using armor-piercing handgun bullets during the perpetration of crimes. S. 1762 does not, however, ban the manufacture, import, or sale of these bullets. As my colleague from New York is aware, many law enforcement officials remain concerned that, with no restrictions on the availability of lethal armor-piercing handgun ammunition, criminal sanctions alone will not provide police with sufficient protection. I recognize the need to address their concern and have agreed to schedule a hearing in my Subcommittee on Criminal Law as soon as possible. I understand that the Department of Justice has completed its research on the formulation of a definition of armor-piercing handgun ammunition which could be used to limit the availability of these bullets. A hearing on the issue of armor-piercing handgun ammunition will afford the Department a chance to report its findings to Congress.

Mr. MOYNIHAN. Mr. President, I thank my colleague from Nevada for his gracious cooperation on this matter. I am grateful that he has agreed to give the issue of "cop killer" bullets the attention it so deserves.

Mr. SPECTER. Mr. President, I wish to add my strong support for the core provisions of the President's crime package contained in S. 1762. As a person who has spent much of his life in law enforcement—as an assistant

district attorney, staff member of the Warren Commission, and district attorney of Philadelphia—I have a deep familiarity with the important issues raised by this legislation. And as a member of the Judiciary Committee, I have had opportunities to chair and participate in hearings, to review and draft language, and to have input on many titles of this final product.

It is time that we recognize, as the bail provisions of S. 1762 do, that courts should be permitted to consider danger to community in making bail decisions. At the present time, many courts routinely impose high money bonds under the guise of risk of flight in order to hold defendants they believe to be dangers. Frank recognition of danger as a legitimate consideration, with appropriate procedural safeguards, is overdue.

At the same time, where these new bail laws serve to authorize pretrial detention of defendants without any bond, we have a special obligation to insure a speedy trial. In my view, pretrial detention is constitutional only when coupled with a speedy trial requirement.

Another important title of this bill makes significant reforms in the insanity laws. Following the Hinckley verdict, I held several hearings to explore the various reform options. Our final approach in my view is a sound one: First, put the burden of proof on the defendant; second, provide for automatic commitment to a secure mental hospital for those acquitted by reason of insanity; and third, restrict psychiatric testimony on ultimate issues. I am also gratified that the committee has included a provision that the insanity defense will apply only to those with severe mental illnesses and not those with mere personality disorders such as antisocial personalities.

The Justice assistance provisions of S. 1762 will provide much-needed financial assistance to State and local law enforcement agencies for focused support of anticrime programs of proven effectiveness. This bill originally was approved by the committee as S. 53, which I introduced on January 26, 1983. I can assure my colleagues that the Justice assistance program will provide benefits for every State and district.

I wish also to mention a new provision dealing with juvenile records in title 12 of S. 1762. Under present law, all juvenile records are sealed and can be opened only by the often cumbersome and time-consuming process of a court order. At a hearing held by the Subcommittee on Juvenile Justice on July 19, 1983, witnesses detailed the importance of the records to prosecutors for charging and plea-bargaining decisions and to courts for bail and sentencing decisions. It is unfortunate but true that at 15 or 16 years of age

many young persons are already career criminals by any definition. To keep this information from prosecutors and courts can result in a miscarriage of justice.

Under the new provisions, access to these juvenile records would be automatic rather than discretionary for qualifying persons. Second, where a juvenile has been twice adjudicated a delinquent for a felony crime of violence or a drug offense, that information would be transmitted to the FBI for inclusion in their records. In no way would the amendments change the legal effect of a delinquency adjudication on a juvenile; it would only provide accurate information for those who need it.

I also support the other titles of S. 1762 which strengthen criminal forfeiture provisions, revise drug laws, permit donation of surplus property for prison space, and strengthen child pornography laws. I urge this bill's speedy passage.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ROUTINE MORNING BUSINESS

Mr. BAKER. Now, Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business to extend not past the hour of 2:15 p.m. in which Senators may speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 98-13

Mr. BAKER. Mr. President, as in executive session,

I ask unanimous consent that the injunction of secrecy be removed from the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Treaty Document No. 98-13), which was transmitted to the Senate today by the President of the United States.

I also ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

#### To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to ratification, the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region. The Department of State has prepared a report with respect to the Convention which is attached. I also transmit to the Senate, for its information, the Protocol to the Convention Concerning Cooperation in Combating Oil Spills in the Wider Caribbean Region and the Final Act of the Cartagena Conference which adopted the Convention and Protocol.

The Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region will create general legal obligations to protect the marine environment of the Caribbean Sea, the Gulf of Mexico and areas of the Atlantic Ocean immediately adjacent thereto. It covers a variety of forms of marine pollution including pollution from ships, pollution by dumping, pollution from land-based sources, pollution from seabed activities, and airborne pollution. It includes provisions on specially protected areas, cooperation in emergency situations, and environmental impact assessment. The Convention also contains an annex outlining non-compulsory procedures for the peaceful settlement of disputes arising under the Convention.

The Convention, which was concluded within the framework of the United Nations Environment Program's Regional Seas Program, is intended to be supplemented, where necessary, by the development of specific protocols to it, such as the Protocol Concerning Cooperation in Combating Oil Spills in the Wider Caribbean Region (which extends to other hazardous substances as well), providing for more concrete obligations. In areas where there are existing international agreements, such as on marine pollution from ships and by dumping, the Convention provides for the application of the relevant international rules and standards developed under those agreements.

The entry into force of the Convention, augmented by its Protocol, will be an important step in creating, in the region, marine pollution standards which are generally higher, more uniform, consistent in character, and closer to our own than presently exist. Consequently, the Convention and its Protocol will provide new protection for United States territory, the Gulf States, as well as the Commonwealth of Puerto Rico and the Virgin Islands.

The United States played a leading role in the negotiation of the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region. Expeditious United States ratification of the



Convention would demonstrate our concern for the protection of the marine environment of the Caribbean region and our commitment to the region as a whole. It is my hope that the United States will also play a leading role in the effective implementation of the Convention, which we expect to enter into force in a short period of time. To this end, it is important that the United States be represented at the first meeting of the Contracting Parties, which will be held no later than 2 years after entry into force of the Convention, following the deposit of the ninth instrument of ratification, acceptance, approval, or accession.

I recommend that the Senate give early and favorable consideration to the Convention and give its advice and consent to ratification.

RONALD REAGAN.

THE WHITE HOUSE, January 27, 1984.

#### ORDERS FOR MONDAY, JANUARY 30, 1984

##### ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. BAKER. Mr. President, earlier I asked, and the Senate granted, unanimous consent that the Senate stand in recess until Monday, January 30, 1984. I would like to change that to adjournment, Mr. President. However, before I do so, may I inquire of the distinguished minority leader if he is prepared to clear a unanimous-consent request for the usual, as we say, boilerplate language in respect to adjournment at this time.

Mr. BYRD. I apologize for the delay. I have no objection.

Mr. BAKER. I thank the minority leader.

Mr. President, I ask unanimous consent that when the Senate convenes on Monday, January 30, 1984, the reading of the Journal be dispensed with, no resolutions come over under the rule, the call of the calendar be dispensed with, and following the recognition of the two leaders under the standing order, there be special orders in favor of the Senator from West Virginia (Mr. BYRD), the Senator from Rhode Island (Mr. PELL), and the Senator from New York (Mr. MOYNIHAN), for not to exceed 15 minutes each, to be followed by a period for the transaction of routine morning business not to exceed 30 minutes in length, with Senators permitted to speak therein for not more than 5 minutes each; and provided further that the morning hour be deemed to have expired.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

#### BEN FIRSHEIN, OFFICIAL REPORTER OF DEBATES, U.S. SENATE

Mr. BAKER. Mr. President, it is my sad duty to inform the Senate of the death of Ben Firshein, one of the Official Reporters of the Debates.

Ben has reported debates and proceedings in the Senate Chamber for nearly the past 10 years. Prior to joining the Official Reporters, for many years he reported proceedings before the Foreign Relations Committee and numerous other committees on Capitol Hill. Outstanding assignments in his reporting career were the Watergate hearings and the hearings concerning the assassination of President Kennedy.

On behalf of the Senate I extend our sincere condolences to his wife Ruth and all the members of their family.

Mr. BYRD. Mr. President, I associate myself with the remarks just made by the distinguished majority leader concerning the death of this outstanding reporter of debates.

Mr. President, it is with great sadness that I, too, wish to comment on the passing of a distinguished individual, Ben Firshein.

Ben served the U.S. Senate as an Official Reporter of Debates for the past 10 years. He began his career in New York City as a court reporter during the Great Depression and arrived in Washington, D.C., in the early forties. Before coming to the Senate, Ben served as an official reporter for the House Committee on Un-American Activities, the White House, the Supreme Court, and both national party conventions. He was one of the leaders in his profession.

Ben was also a very proud man, proud of his work, his family, and the friendships he cherished. He always had a kind word and humorous story for any police officer, Doorkeeper, page, or Senator. His humor, professionalism, caring nature and most of all his friendship will be deeply missed. On behalf of my colleagues and myself, I wish to extend our deepest sympathy to his wife, Ruth, and their three children, Margie, Jan, and Steve.

Mr. MATHIAS. Mr. President, I join with the majority leader in expressing my sympathy to Mrs. Firshein and to her family on the death today of Benjamin H. Firshein.

Ben was more than an official reporter of Senate debates. He was a keen observer of the congressional scene and a connoisseur of Senate style. He often heard the humor that others missed and saw the gap in logic that others overlooked. To him the Senate was a human institution in which he was an essential part.

Since he was a citizen of Maryland, we had a special bond. But his profes-

sion was the Senate and it is the Senate that will miss him.

#### ADJOURNMENT UNTIL MONDAY, JANUARY 30, 1984

Mr. BAKER. Mr. President, I see no other Senator seeking recognition. I move now, in accordance with the order previously entered, that the Senate stand in adjournment until 12 noon on Monday next.

The motion was agreed to, and the Senate, at 2:49 p.m., adjourned until Monday, January 30, 1984, at 12 noon.

#### NOMINATIONS

Executive nominations received by the Senate January 27, 1984:

##### DEPARTMENT OF COMMERCE

Irving P. Margulies, of Maryland, to be general counsel of the Department of Commerce, vice Sherman E. Unger, deceased.

##### IN THE AIR FORCE

The following-named officers for promotion in the Air Force Reserve, under the provisions of sections 593 and 8371, title 10, United States Code.

##### LINE OF THE AIR FORCE

##### Lieutenant colonel to colonel

Allan, Andrew A. xxx-xx-xxxx  
Attebury, John C. xxx-xx-xxxx  
Batchelder, Harry C., Jr. xxx-xx-xxxx  
Berkey, Thomas S. xxx-xx-xxxx  
Blair, Jack W., Jr. xxx-xx-xxxx  
Blanton, Daniel L. xxx-xx-xxxx  
Branch, Edward A. xxx-xx-xxxx  
Bridges, Clayton I., Sr. xxx-xx-xxxx  
Bryant, Clarence J. xxx-xx-xxxx  
Bubel, Howard L. xxx-xx-xxxx  
Burnham, Hathorne A. xxx-xx-xxxx  
Canavan, Gregory H. xxx-xx-xxxx  
Cantrell, George F. xxx-xx-xxxx  
Chatham, Charles C. xxx-xx-xxxx  
Choplin, John R. xxx-xx-xxxx  
Chrisman, Albert E. xxx-xx-xxxx  
Cruz, Humberto G. xxx-xx-xxxx  
Davison, Donald E. xxx-xx-xxxx  
Dean, Donald E. xxx-xx-xxxx  
Debussy, Robert P. xxx-xx-xxxx  
Dicaprio, Patrick R. xxx-xx-xxxx  
Dickinson, Joseph W., Jr. xxx-xx-xxxx  
Didlake, William W., Jr. xxx-xx-xxxx  
Dutrow, George F. xxx-xx-xxxx  
Eckard, Roy C. xxx-xx-xxxx  
Elman, Howard L. xxx-xx-xxxx  
Fisher, Earl M. xxx-xx-xxxx  
Garner, Jerry L. xxx-xx-xxxx  
Garrison, Durrell W. xxx-xx-xxxx  
Gault, James A. xxx-xx-xxxx  
Gorman, Haven D. xxx-xx-xxxx  
Greider, Gordon C. xxx-xx-xxxx  
Grose, Andrew P. xxx-xx-xxxx  
Hall, George A. xxx-xx-xxxx  
Hammond, Bobby L., Jr. xxx-xx-xxxx  
Hannon, Lawrence H. xxx-xx-xxxx  
Harper, David J. xxx-xx-xxxx  
Harrington, David R. xxx-xx-xxxx  
Hasler, Dwight F. xxx-xx-xxxx  
Hendry, Charles xxx-xx-xxxx  
Henny, Robert W. xxx-xx-xxxx  
Hoop, Charles C. xxx-xx-xxxx  
Houk, James L. xxx-xx-xxxx  
Hunsucker, George E., Jr. xxx-xx-xxxx  
Jackson, Bobbie G. xxx-xx-xxxx  
Jernigan, George W. xxx-xx-xxxx  
Johnson, Benny L. xxx-xx-xxxx  
Johnson, Elsie M. xxx-xx-xxxx  
Johnson, Russell C. xxx-xx-xxxx

Jones, Conway B., Jr., xxx-xx-xxxx  
 Jones, Robert H., xxx-xx-xxxx  
 Jordan, Donald L., xxx-xx-xxxx  
 Kezar, Charles A., xxx-xx-xxxx  
 Kinsella, Robert W., xxx-xx-xxxx  
 Krizek, Donald T., xxx-xx-xxxx  
 Lightfoot, Thomas E., xxx-xx-xxxx  
 Lincoln, Edward F., xxx-xx-xxxx  
 Livingston, Donald B., xxx-xx-xxxx  
 Macdowell, David M., xxx-xx-xxxx  
 Martin, Laura M., xxx-xx-xxxx  
 Maurer, James, xxx-xx-xxxx  
 Maxwell, Tom B., xxx-xx-xxxx  
 Mcracken, Theodore E., xxx-xx-xxxx  
 McDonald, Bross K., Jr., xxx-xx-xxxx  
 Mcfrye, James E., xxx-xx-xxxx  
 Mitchell, Samuel P., Jr., xxx-xx-xxxx  
 Mitchelmore, Garry E., xxx-xx-xxxx  
 Morgan, John, xxx-xx-xxxx  
 Morris, Charles M., xxx-xx-xxxx  
 Ness, Buford D., xxx-xx-xxxx  
 Neubauer, Charles H., Jr., xxx-xx-xxxx  
 Neubert, Thomas L., xxx-xx-xxxx  
 Nichol, Harry G., Jr., xxx-xx-xxxx  
 Olson, Thomas H., xxx-xx-xxxx  
 Osborne, Charles E., xxx-xx-xxxx  
 Parsons, Reginald, xxx-xx-xxxx  
 Peck, Frank E., xxx-xx-xxxx  
 Pfister, Robert E., xxx-xx-xxxx  
 Phillips, Francis M., xxx-xx-xxxx  
 Pitts, Rex A., xxx-xx-xxxx  
 Raymer, James A., xxx-xx-xxxx  
 Reardon, Michael P., xxx-xx-xxxx  
 Reich, Michael D., xxx-xx-xxxx  
 Rodriguez, Rodolfo F., xxx-xx-xxxx  
 Roewer, William H., xxx-xx-xxxx  
 Sample, Travis L., xxx-xx-xxxx  
 Sapp, Edwin G., xxx-xx-xxxx  
 Schultz, Neil H., xxx-xx-xxxx  
 Seal, Galen E., Jr., xxx-xx-xxxx  
 Seemann, Arthur D., xxx-xx-xxxx  
 Severson, Richard R., xxx-xx-xxxx  
 Shelok, Thomas C., xxx-xx-xxxx  
 Sherrard, James E., III, xxx-xx-xxxx  
 Slebrch, Eugene P., xxx-xx-xxxx  
 Smith, David R., xxx-xx-xxxx  
 Smith, Donald J., xxx-xx-xxxx  
 Steele, Clifford W., xxx-xx-xxxx  
 Svarverud, Dale M., xxx-xx-xxxx  
 Symmes, Robert O., xxx-xx-xxxx  
 Tate, Robert L., xxx-xx-xxxx  
 Teasley, Martin M., xxx-xx-xxxx  
 Thurlow, John S., xxx-xx-xxxx  
 Tracy, William D., xxx-xx-xxxx  
 Vogel, Richard K., xxx-xx-xxxx  
 Wagner, Frederick J., Jr., xxx-xx-xxxx  
 Wallenmeyer, Robert L., xxx-xx-xxxx  
 Watson, Frank D., xxx-xx-xxxx  
 Webster, James K., xxx-xx-xxxx  
 White, Jerry E., xxx-xx-xxxx  
 White, Milton J., II, xxx-xx-xxxx  
 Whittemore, John D., xxx-xx-xxxx  
 Williams, Walker M., III, xxx-xx-xxxx  
 Winebarger, Forrest S., xxx-xx-xxxx  
 Winters, Walter L., Jr., xxx-xx-xxxx  
 Woolley, Verlin R., xxx-xx-xxxx  
 Worthington, Daniel J., xxx-xx-xxxx  
 Wylie, Bruce A., xxx-xx-xxxx

## CHAPLAIN, CORPS

Chancellor, Gerald R., xxx-xx-xxxx  
 Harder, Jon G., xxx-xx-xxxx

## DENTAL CORPS

Cheney, George K., III, xxx-xx-xxxx  
 Hale, Robert H., xxx-xx-xxxx  
 Hickory, John E., Jr., xxx-xx-xxxx  
 Jones, Thomas M., xxx-xx-xxxx  
 Kaiser, David A., xxx-xx-xxxx  
 MacDonald, Gerald B., xxx-xx-xxxx  
 Mayo, George E., III, xxx-xx-xxxx  
 Studt, Kurt H., xxx-xx-xxxx  
 Wong, Shannon, xxx-xx-xxxx

## JUDGE ADVOCATE

Bovington, George G., xxx-xx-xxxx

Burton, Claytkn B., xxx-xx-xxxx  
 Degurse, John L., Jr., xxx-xx-xxxx  
 Hain, Elwood B., Jr., xxx-xx-xxxx  
 Kelly, Thomas P., Jr., xxx-xx-xxxx  
 McCarthy, Michael W., xxx-xx-xxxx  
 Neville, William V., Jr., xxx-xx-xxxx

## MEDICAL CORPS

Baldwin, John L., xxx-xx-xxxx  
 Bentlage, Charles H., xxx-xx-xxxx  
 Bice, Clarence M., xxx-xx-xxxx  
 Board, Thomas M., Jr., xxx-xx-xxxx  
 Boyce, Merle H., xxx-xx-xxxx  
 Cambier, Jacob W., xxx-xx-xxxx  
 Carroll, Mark G., Jr., xxx-xx-xxxx  
 Carson, James G., xxx-xx-xxxx  
 Cook, Clarence T., xxx-xx-xxxx  
 Curran, John S., xxx-xx-xxxx  
 Hafner, Peter A., xxx-xx-xxxx  
 Hongladarom, Thaworn, xxx-xx-xxxx  
 Jensen, Eric H., xxx-xx-xxxx  
 Johnson, Albert, Jr., xxx-xx-xxxx  
 King, William J., xxx-xx-xxxx  
 Knauf, Daniel G., xxx-xx-xxxx  
 Lobritz, Richard W., xxx-xx-xxxx  
 Long, Paul D., xxx-xx-xxxx  
 McHargue, Anna M., xxx-xx-xxxx  
 Miller, Albert A., xxx-xx-xxxx  
 Neal, Ronald H., xxx-xx-xxxx  
 Peters, John W., xxx-xx-xxxx  
 Polonsky, Leonard, xxx-xx-xxxx  
 Rettet, Seymour, xxx-xx-xxxx  
 Rose, Howard Richard, xxx-xx-xxxx  
 Sanders, Gerald E., xxx-xx-xxxx  
 Scott, Jack, xxx-xx-xxxx  
 Sherrer, Edward L., Jr., xxx-xx-xxxx  
 Siegel, Donald C., xxx-xx-xxxx  
 Sundareson, Alistair S., xxx-xx-xxxx  
 Tallant, Arthur N., xxx-xx-xxxx  
 Turner, Jerald B., xxx-xx-xxxx  
 Vinoski, Bernard B., xxx-xx-xxxx  
 Wherry, David C., xxx-xx-xxxx  
 Williams, Josie R., xxx-xx-xxxx  
 Willis, Marshall R., xxx-xx-xxxx  
 Willoughby, William F., xxx-xx-xxxx

## NURSE CORPS

Darmody, William C., xxx-xx-xxxx  
 Hartnett, Joan T., xxx-xx-xxxx  
 Henderson, Nancy A., xxx-xx-xxxx  
 Hofer, Joan M., xxx-xx-xxxx  
 Hoffmaster, Joan E., xxx-xx-xxxx  
 Kautz, Joan E., xxx-xx-xxxx  
 Macko, Ollie M., xxx-xx-xxxx  
 Mansour, Georganne, xxx-xx-xxxx  
 Myli, Alice R., xxx-xx-xxxx  
 Pohlman, Vivian C., xxx-xx-xxxx  
 Ray, Marilyn A., xxx-xx-xxxx  
 Strain, William C., xxx-xx-xxxx

## MEDICAL SERVICE CORPS

Carlile, Bruce E., xxx-xx-xxxx  
 Chester, Thomas M., xxx-xx-xxxx  
 Hays, Henry H., xxx-xx-xxxx  
 Lacy, James A., xxx-xx-xxxx  
 McIntosh, Stuart S., xxx-xx-xxxx  
 Merwin, Carl A., xxx-xx-xxxx  
 Pace, Joseph B., xxx-xx-xxxx

## BIOMEDICAL SCIENCES CORPS

Klemm, William R., xxx-xx-xxxx

## IN THE AIR FORCE

The following named officers for promotion to the grade indicated in the Reserve of the Air Force, under the provisions of section 307, title 32, United States Code, and sections 8363 and 593, title 10, United States Code.

## LINE OF THE AIR FORCE

## To be colonel

Braig, Jacob L., xxx-xx-xxxx  
 Campbell, Gordon M., xxx-xx-xxxx  
 Cano, Ramon, xxx-xx-xxxx  
 Cory, Lester W., xxx-xx-xxxx  
 Desforges, Paul R., xxx-xx-xxxx

Emerson, Richard A. G., xxx-xx-xxxx  
 Hegg, Wallace D., xxx-xx-xxxx  
 Helsing, Joseph D., xxx-xx-xxxx  
 Kottak, Joseph L., xxx-xx-xxxx  
 Marty, Cecil W., xxx-xx-xxxx  
 Page, William H., xxx-xx-xxxx  
 Robb, John M., xxx-xx-xxxx  
 Robertson, William G., xxx-xx-xxxx  
 Schantz, Bruce M., xxx-xx-xxxx  
 Slifer, John A., Jr., xxx-xx-xxxx  
 Sobzack, Kenneth J., xxx-xx-xxxx  
 Vanwinkle, David L., xxx-xx-xxxx  
 Villano, Salvatore, Jr., xxx-xx-xxxx  
 Washington, Joseph A., xxx-xx-xxxx  
 Williams, John M., Jr., xxx-xx-xxxx

## MEDICAL CORPS

Ellerby, Richard A., xxx-xx-xxxx  
 Kuhn, John E., xxx-xx-xxxx  
 Kwan, Joseph H., xxx-xx-xxxx  
 Lindgren, Ivan T., xxx-xx-xxxx  
 Schwartz, Edward S., xxx-xx-xxxx

## IN THE AIR FORCE

The following officers for appointment in the Regular Air Force under the provisions of section 531, title 10, United States Code, with grades and dates of rank to be determined by the Secretary of the Air Force provided that in no case shall any of the following officers be appointed in a grade higher than that indicated.

## LINE OF THE AIR FORCE

## To be lieutenant colonel

Hodge, Curtis D., xxx-xx-xxxx

## To be captain

Leech, David P., xxx-xx-xxxx  
 Marcells, Michael R., xxx-xx-xxxx  
 McCloud, Gary R., xxx-xx-xxxx  
 Nichols, William D., xxx-xx-xxxx  
 Records, William E., II, xxx-xx-xxxx

## IN THE AIR FORCE

The following Air National Guard of the United States officers for promotion in the Reserve of the Air Force under the provisions of section 593(a) title 10 of the United States Code, as amended:

## LINE OF THE AIR FORCE

## To be lieutenant colonel

Maj. Donald R. Allen, xxx-xx-xxxx  
 Maj. Russell C. Axtell, Jr., xxx-xx-xxxx  
 Maj. Joseph C. Carr, xxx-xx-xxxx  
 Maj. Lawrence M. Dicus, xxx-xx-xxxx  
 Maj. Alder J. Dubois, xxx-xx-xxxx  
 Maj. Duane H. Ellingson, xxx-xx-xxxx  
 Maj. Jerry W. Gillean, xxx-xx-xxxx  
 Maj. Bruce E. Hansen, xxx-xx-xxxx  
 Maj. Larry K. Hansem, xxx-xx-xxxx  
 Maj. Johnny J. Hobbs, xxx-xx-xxxx  
 Maj. Dickey W. James, xxx-xx-xxxx  
 Maj. Jennings W. Moore, xxx-xx-xxxx  
 Maj. Tim E. Moreland, Jr., xxx-xx-xxxx  
 Maj. John P. Silliman, Jr., xxx-xx-xxxx  
 Maj. William H. Strom, xxx-xx-xxxx  
 Maj. Robert B. Till, xxx-xx-xxxx  
 Maj. Robert K. Webb, xxx-xx-xxxx  
 Maj. Rowland R. Wilson, xxx-xx-xxxx

## IN THE AIR FORCE

The following Air National Guard of the United States officers for promotion in the Reserve of the Air Force under the provisions of section 593(a) title 10 of the United States Code, as amended:

## LINE OF THE AIR FORCE

## To be lieutenant colonel

Maj. Michael A. Armour, xxx-xx-xxxx  
 Maj. Richard L. Bailey, xxx-xx-xxxx  
 Maj. Spencer C. Bridgman, xxx-xx-xxxx  
 Maj. Robert E. Canter, xxx-xx-xxxx  
 Maj. Robert L. Cochran, xxx-xx-xxxx  
 Maj. James A. Egizil, xxx-xx-xxxx



Maj. Robert F. Gray, xxx-xx-xxxx  
 Maj. Andrew G. Gross, xxx-xx-xxxx  
 Maj. Stephen L. Hebbard, xxx-xx-xxxx  
 Maj. Richard E. Hoyt, xxx-xx-xxxx  
 Maj. Patrick J. Hurley, xxx-xx-xxxx  
 Maj. Richard C. Jameson, xxx-xx-xxxx  
 Maj. William J. Mason, xxx-xx-xxxx  
 Maj. William L. Maxson, xxx-xx-xxxx  
 Maj. James A. McCoy, xxx-xx-xxxx  
 Maj. Robert K. Mintz, xxx-xx-xxxx  
 Maj. Ernest R. Oliveira, xxx-xx-xxxx  
 Maj. Thomas W. Powers, xxx-xx-xxxx  
 Maj. Charles P. Rogers, xxx-xx-xxxx  
 Maj. George H. Rogerson, xxx-xx-xxxx  
 Maj. Larry A. Smith, xxx-xx-xxxx  
 Maj. William J. Stockwell, xxx-xx-xxxx  
 Maj. Alfred H. Tichenor, xxx-xx-xxxx  
 Maj. Hugh H. Wilson, Jr., xxx-xx-xxxx

## LEGAL

Maj. Dan E. Dennis, xxx-xx-xxxx  
 Maj. Karl W. Kristoff, xxx-xx-xxxx  
 Maj. Donald A. LaBar, xxx-xx-xxxx  
 Maj. Avrum M. Rabin, xxx-xx-xxxx  
 Maj. Terry D. VanHorn, xxx-xx-xxxx

## CHAPLAIN

Maj. John M. Wendel, xxx-xx-xxxx

## MEDICAL CORPS

Maj. Stephen M. Kranz, xxx-xx-xxxx  
 Maj. Krikor O. Partamian, xxx-xx-xxxx

## IN THE AIR FORCE

The following-named officers for permanent promotion in the U.S. Air Force, under the provisions of section 628, title 10, United States Code, as amended, with dates of rank to be determined by the Secretary of the Air Force.

## LINE OF THE AIR FORCE

## To be lieutenant colonel

Amels, Bernard J., xxx-xx-xxxx  
 Carter, Robert W., xxx-xx-xxxx  
 Felker, Richard L., xxx-xx-xxxx  
 Hale, Edward R., xxx-xx-xxxx  
 Liebner, Manfred A., xxx-xx-xxxx  
 O'Brien, David F., xxx-xx-xxxx  
 Schwab, Charles F., xxx-xx-xxxx  
 Skarke, Richard J., xxx-xx-xxxx

## To be major

Descoteaux, Louis L., xxx-xx-xxxx  
 Madley, Stephen D., xxx-xx-xxxx

## JUDGE ADVOCATE

## To be major

Hill, William A., Jr., xxx-xx-xxxx

## IN THE ARMY

The following-named officers for promotion in the Reserve of the Army of the United States, under the provisions of title 10, United States Code, sections 3366, 3367, 3370, and 3383:

## ARMY PROMOTION LIST

## To be colonel

Davis, Ronald C., xxx-xx-xxxx

## CHAPLAIN

## To be colonel

Toland, William L., xxx-xx-xxxx  
 Vogel, George B., xxx-xx-xxxx

## ARMY PROMOTION LIST

## To be lieutenant colonel

Acevedo, Rafael A., xxx-xx-xxxx  
 Adair, William H., xxx-xx-xxxx  
 Alanis, Daniel C., xxx-xx-xxxx  
 Aldrich, Merritt J., xxx-xx-xxxx  
 Alexander, Raymond, xxx-xx-xxxx  
 Allen, David J., xxx-xx-xxxx  
 Allen, John W., Jr., xxx-xx-xxxx  
 Allen, Ronald F., xxx-xx-xxxx  
 Allen, Thomas L., xxx-xx-xxxx  
 Anders, Dwane A., xxx-xx-xxxx  
 Anderson, Henry A., xxx-xx-xxxx

Anderson, Robert M., xxx-xx-xxxx  
 Andrews, Sidney B., xxx-xx-xxxx  
 Appleby, Landry K., xxx-xx-xxxx  
 Archibald, William F., xxx-xx-xxxx  
 Archibald, James L., xxx-xx-xxxx  
 Arizu, David F., xxx-xx-xxxx  
 Armstrong, Frank D., xxx-xx-xxxx  
 Arnovitz, Benton M., xxx-xx-xxxx  
 Atherton, Peter L., xxx-xx-xxxx  
 Atkins, Robert M., xxx-xx-xxxx  
 Atkinson, Thurman, xxx-xx-xxxx  
 Austin, Fredrick E., xxx-xx-xxxx  
 Ayers, Curtis P., III, xxx-xx-xxxx  
 Bachman, David D., xxx-xx-xxxx  
 Baer, Terry B., xxx-xx-xxxx  
 Baker, Charles W., xxx-xx-xxxx  
 Baker, Frank L., xxx-xx-xxxx  
 Baker, William A., xxx-xx-xxxx  
 Balamaci, William, xxx-xx-xxxx  
 Baldwin, Roger H., xxx-xx-xxxx  
 Baldwin, Ted L., xxx-xx-xxxx  
 Balmer, Robert J., xxx-xx-xxxx  
 Banaitis, Jerome L., xxx-xx-xxxx  
 Banjanin, Thomas G., xxx-xx-xxxx  
 Banks, Ralph K., xxx-xx-xxxx  
 Barham, Leslie W., xxx-xx-xxxx  
 Barker, Geoffrey T., xxx-xx-xxxx  
 Barkes, David H., xxx-xx-xxxx  
 Barlow, Paul C., xxx-xx-xxxx  
 Barner, Bruce E., xxx-xx-xxxx  
 Barner, Byron L., xxx-xx-xxxx  
 Barnes, William J., xxx-xx-xxxx  
 Barnette, Charles J., xxx-xx-xxxx  
 Barrera, Fabricio, xxx-xx-xxxx  
 Bartosch, Richard E., xxx-xx-xxxx  
 Bass, Henry E., xxx-xx-xxxx  
 Batista, Armand J., xxx-xx-xxxx  
 Beaman, William J., xxx-xx-xxxx  
 Bean, Robert J., xxx-xx-xxxx  
 Bechtel, Charles M., xxx-xx-xxxx  
 Bechroge, John H., xxx-xx-xxxx  
 Bedell, James K., xxx-xx-xxxx  
 Beggs, George H., xxx-xx-xxxx  
 Bellah, James D., xxx-xx-xxxx  
 Bellavia, Carl F., xxx-xx-xxxx  
 Bellhouse, Robert E., xxx-xx-xxxx  
 Berich, Milos M., xxx-xx-xxxx  
 Berl, Herbert E., xxx-xx-xxxx  
 Bertagnoli, Frank, xxx-xx-xxxx  
 Biber, Brian F., xxx-xx-xxxx  
 Biddy, James H., Jr., xxx-xx-xxxx  
 Bielen, Richard W., xxx-xx-xxxx  
 Biermann, Hugo C., xxx-xx-xxxx  
 Biggs, Danny J., xxx-xx-xxxx  
 Biles, James T., xxx-xx-xxxx  
 Billings, Clarence, xxx-xx-xxxx  
 Birmingham, Michael, xxx-xx-xxxx  
 Bishop, Gary R., xxx-xx-xxxx  
 Blake, Thomas A., xxx-xx-xxxx  
 Blanchard, Bruce, xxx-xx-xxxx  
 Blomgren, George H., xxx-xx-xxxx  
 Bodde, David L., xxx-xx-xxxx  
 Boehnke, Gary J., xxx-xx-xxxx  
 Boling, Joseph L., xxx-xx-xxxx  
 Bond, Ottis W., xxx-xx-xxxx  
 Bondi, Hart E., xxx-xx-xxxx  
 Bondurant, Herbert, xxx-xx-xxxx  
 Bonesteel, Muri T., xxx-xx-xxxx  
 Borjes, Jackson F., xxx-xx-xxxx  
 Bottomley, Bruce B., xxx-xx-xxxx  
 Bouchard, Lee H., xxx-xx-xxxx  
 Boyd, Calmar A., xxx-xx-xxxx  
 Boyd, Joe E., xxx-xx-xxxx  
 Boyd, Roger E., xxx-xx-xxxx  
 Bozeman, Michael L., xxx-xx-xxxx  
 Bozin, John M., xxx-xx-xxxx  
 Bozzelli, William M., xxx-xx-xxxx  
 Braafladt, Charles, xxx-xx-xxxx  
 Brady, Edward T., xxx-xx-xxxx  
 Brady, John M., xxx-xx-xxxx  
 Brandon, Curtis G., xxx-xx-xxxx  
 Bray, Frank R., xxx-xx-xxxx  
 Breedlove, James A., xxx-xx-xxxx  
 Breedlove, James L., xxx-xx-xxxx

Breitung, John C., xxx-xx-xxxx  
 Breuer, Thomas E., xxx-xx-xxxx  
 Brezovec, Richard T., xxx-xx-xxxx  
 Briggs, Lyle K., xxx-xx-xxxx  
 Brightwell, Bobby J., xxx-xx-xxxx  
 Brock, Kenneth D., xxx-xx-xxxx  
 Brock, Roger J., xxx-xx-xxxx  
 Brock, William H., xxx-xx-xxxx  
 Brockinton, William, xxx-xx-xxxx  
 Brockliss, John A., xxx-xx-xxxx  
 Brodzinski, Theodore, xxx-xx-xxxx  
 Broome, Cecil A., xxx-xx-xxxx  
 Brown, James C., xxx-xx-xxxx  
 Brown, Ralph P., xxx-xx-xxxx  
 Brown, Stephen M., xxx-xx-xxxx  
 Brownell, Michael D., xxx-xx-xxxx  
 Browning, Robert C., xxx-xx-xxxx  
 Browning, Ronald J., xxx-xx-xxxx  
 Brownlee, Robert J., xxx-xx-xxxx  
 Brummett, Norman H., xxx-xx-xxxx  
 Brunner, George S., xxx-xx-xxxx  
 Bucek, Gerald C., xxx-xx-xxxx  
 Budreau, Joseph L., xxx-xx-xxxx  
 Bugielski, Dennis E., xxx-xx-xxxx  
 Burgamy, Ronnell O., xxx-xx-xxxx  
 Burgess, Leland H., xxx-xx-xxxx  
 Burke, John P., Jr., xxx-xx-xxxx  
 Burkhalter, Richard, xxx-xx-xxxx  
 Burkhardt, Albert R., xxx-xx-xxxx  
 Burson, Donald A., xxx-xx-xxxx  
 Buss, Allan C., xxx-xx-xxxx  
 Bye, Robert H., xxx-xx-xxxx  
 Byrns, John W., xxx-xx-xxxx  
 Cable, Larry C., xxx-xx-xxxx  
 Cagley, Lonnie L., xxx-xx-xxxx  
 Caldwell, Raymond G., xxx-xx-xxxx  
 Calhoun, Wesley E., xxx-xx-xxxx  
 Callor, John H., II, xxx-xx-xxxx  
 Cameron, David G., xxx-xx-xxxx  
 Campbell, Charles G., xxx-xx-xxxx  
 Campisano, Peter P., xxx-xx-xxxx  
 Campos, David A., xxx-xx-xxxx  
 Candlen, Thomas P., xxx-xx-xxxx  
 Cantrell, James H., xxx-xx-xxxx  
 Cardosi, Joseph J., xxx-xx-xxxx  
 Carlisle, Byron, Jr., xxx-xx-xxxx  
 Carlson, Donald N., xxx-xx-xxxx  
 Carlson, Terrance J., xxx-xx-xxxx  
 Carneal, Samuel D., xxx-xx-xxxx  
 Carrero, Antonio, xxx-xx-xxxx  
 Carriger, John C., xxx-xx-xxxx  
 Carroll, James J., xxx-xx-xxxx  
 Carson, Robert L., xxx-xx-xxxx  
 Carter, James S., xxx-xx-xxxx  
 Carver, Stephen G., xxx-xx-xxxx  
 Cary, James S., xxx-xx-xxxx  
 Cash, William A., xxx-xx-xxxx  
 Cassidy, Joel T., xxx-xx-xxxx  
 Castlen, John C., xxx-xx-xxxx  
 Celosse, Herman A., xxx-xx-xxxx  
 Cerchio, Nicholas L., xxx-xx-xxxx  
 Chandler, Richard H., xxx-xx-xxxx  
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 Porcelli, Gerald L., xxx-xx-xxxx  
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 Proffitt, Paul E., xxx-xx-xxxx  
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 Pyle, Frank J., Jr., xxx-xx-xxxx  
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 Reber, Clark L., xxx-xx-xxxx  
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 Thomas, James H., xxx-xx-xxxx  
 Thomas, James S., xxx-xx-xxxx  
 Thomas, John P., xxx-xx-xxxx  
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 Thomas, Mark W., xxx-xx-xxxx  
 Thomasson, Jack W., xxx-xx-xxxx  
 Thompson, Billy R., xxx-xx-xxxx  
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Tonge, Gary R., xxx-xx-xxxx  
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 Vass, James E., Jr., xxx-xx-xxxx  
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 Vaughan, George P., xxx-xx-xxxx  
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 Warden, William H., xxx-xx-xxxx  
 Warf, Jack D., xxx-xx-xxxx  
 Warr, Steven P., xxx-xx-xxxx  
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 Warzecha, Robert J., xxx-xx-xxxx  
 Wasserman, Edward P., xxx-xx-xxxx  
 Watts, Charles A., xxx-xx-xxxx  
 Watts, John A., xxx-xx-xxxx  
 Weck, Jon A., xxx-xx-xxxx  
 Weihs, Kenneth F., xxx-xx-xxxx  
 Weintritt, Wallace, xxx-xx-xxxx  
 Wells, Robert C., xxx-xx-xxxx  
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 Werner, Clinton R., xxx-xx-xxxx  
 Westbrook, James W., xxx-xx-xxxx  
 Whatley, James E., xxx-xx-xxxx  
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 Whitcomb, David C., xxx-xx-xxxx  
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 White, Thomas E., xxx-xx-xxxx  
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 Whitlock, James E., xxx-xx-xxxx  
 Whitney, Victor D., xxx-xx-xxxx  
 Wicklow, Joseph F., xxx-xx-xxxx  
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 Williams, Mark A., xxx-xx-xxxx  
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 Williams, Ronald G., xxx-xx-xxxx  
 Williams, Thomas R., xxx-xx-xxxx  
 Williams, Tommy L., xxx-xx-xxxx  
 Williamson, Charles, xxx-xx-xxxx  
 Willis, Garry L., xxx-xx-xxxx  
 Wilson, David E., xxx-xx-xxxx  
 Wilson, Gordon P., xxx-xx-xxxx  
 Wilson, Robert L., xxx-xx-xxxx  
 Wilson, Robert W., xxx-xx-xxxx  
 Wilson, Walter D., xxx-xx-xxxx  
 Winkler, Dana J., xxx-xx-xxxx  
 Wishart, Ronald K., xxx-xx-xxxx  
 Wittorff, William D., xxx-xx-xxxx  
 Woehler, Darrell A., xxx-xx-xxxx  
 Wolfe, Richard F., xxx-xx-xxxx  
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Wolk, John J., xxx-xx-xxxx  
 Wood, Bennett B., Jr., xxx-xx-xxxx  
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 Wood, Kenneth D., xxx-xx-xxxx  
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 Wrede, Ryland E., xxx-xx-xxxx  
 Wun, Ronald M. G., xxx-xx-xxxx  
 Wynne, Thomas J., xxx-xx-xxxx  
 Yates, Eduardo, xxx-xx-xxxx  
 Youmans, Harold W., xxx-xx-xxxx  
 Young, Fred D., xxx-xx-xxxx  
 Zachry, Charles C., xxx-xx-xxxx  
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Alimena, Leonard S., xxx-xx-xxxx  
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 Bearinger, Charles, xxx-xx-xxxx  
 Bohn, Donald M., xxx-xx-xxxx  
 Clemmons, Amos E., xxx-xx-xxxx  
 Collins, Paul C., xxx-xx-xxxx  
 Cooke, James P., xxx-xx-xxxx  
 Duffy, Leonard T., xxx-xx-xxxx  
 Eubanks, Charles D., xxx-xx-xxxx  
 Fouse, Clarence D., xxx-xx-xxxx  
 Gerstein, Stanley R., xxx-xx-xxxx  
 Haga, Henry M., xxx-xx-xxxx  
 Halford, Seymour D., xxx-xx-xxxx  
 Hallman, Harry W., xxx-xx-xxxx  
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 Hoffman, Marshall L., xxx-xx-xxxx  
 Hosford, John S., xxx-xx-xxxx  
 Hudnall, Billy J., xxx-xx-xxxx  
 Hurd, Joe C., xxx-xx-xxxx  
 Jordahl, Vern T., xxx-xx-xxxx  
 Kirtley, Stephen E., xxx-xx-xxxx  
 Marcom, Jack A., xxx-xx-xxxx  
 McCaskey, Charles W., xxx-xx-xxxx  
 Minton, Phillip L., xxx-xx-xxxx  
 Poteet, Jerry M., xxx-xx-xxxx  
 Powell, Robert Z., xxx-xx-xxxx  
 Rankin, James H., xxx-xx-xxxx  
 Richardson, Charles, xxx-xx-xxxx  
 Schwantes, George W., xxx-xx-xxxx  
 Secker, Philip J., xxx-xx-xxxx  
 Senter, Alfred H., xxx-xx-xxxx  
 Snider, Neal E., xxx-xx-xxxx  
 Stinson, Richard L., xxx-xx-xxxx  
 Trott, Marvin W., xxx-xx-xxxx  
 Tumpkin, Joseph L., xxx-xx-xxxx  
 Wood, Joe, xxx-xx-xxxx  
 Young, Jerry R., xxx-xx-xxxx

The following-named Army National Guard officers for promotion in the Reserve of the Army of the United States, under the provisions of title 10, United States Code, section 3385:

## ARMY PROMOTION LIST

## To be colonel

Aleandri, John V., xxx-xx-xxxx  
 Bach, Albert P., xxx-xx-xxxx  
 Bushnell, Van L., xxx-xx-xxxx  
 Caldwell, Ellis M., xxx-xx-xxxx  
 Cloe, John H., xxx-xx-xxxx  
 Merrill, Francis E., xxx-xx-xxxx  
 Moore, Bobbie J., xxx-xx-xxxx  
 Morgano, Vito, xxx-xx-xxxx  
 Pieraldi, Luis F., xxx-xx-xxxx  
 Rinaman, James C., xxx-xx-xxxx  
 Rolfsen, Erling O., xxx-xx-xxxx  
 Thompson, James B., xxx-xx-xxxx  
 Wagner, Wayne F., xxx-xx-xxxx  
 Wheeler, Leonard M., xxx-xx-xxxx

## DENTAL CORPS

## To be colonel

Chubb, William E., xxx-xx-xxxx

## MEDICAL CORPS

## To be colonel

Meimaridis, Stavros, xxx-xx-xxxx

Sabio, Andres R., xxx-xx-xxxx

## MEDICAL SERVICE CORPS

## To be colonel

Denker, Roger W., xxx-xx-xxxx  
 Lewis, John T., xxx-xx-xxxx

## ARMY PROMOTION LIST

## To be lieutenant colonel

Agler, Herman R., xxx-xx-xxxx  
 Barkley, Clifford B., xxx-xx-xxxx  
 Beans, Joseph P., xxx-xx-xxxx  
 Berry, Ronald G., xxx-xx-xxxx  
 Bunn, David B., xxx-xx-xxxx  
 Burke, John P., Jr., xxx-xx-xxxx  
 Coad, Gary H., xxx-xx-xxxx  
 Cox, John R., xxx-xx-xxxx  
 Dixon, David R., xxx-xx-xxxx  
 Dowse, Malen E., xxx-xx-xxxx  
 Driscoll, Michael D., xxx-xx-xxxx  
 Eggleston, Darryl D., xxx-xx-xxxx  
 Farley, John B., xxx-xx-xxxx  
 Fisher, Alva C., xxx-xx-xxxx  
 Giering, Edmund J., xxx-xx-xxxx  
 Harrison, James T., xxx-xx-xxxx  
 Havard, James C., xxx-xx-xxxx  
 Holden, Terry L., xxx-xx-xxxx  
 James, Michael A., xxx-xx-xxxx  
 Kennett, James A., xxx-xx-xxxx  
 Klepp, Frederick W., xxx-xx-xxxx  
 Krueger, Paul A., xxx-xx-xxxx  
 Lipscomb, James H., xxx-xx-xxxx  
 Madden, John L., xxx-xx-xxxx  
 Mathis, Bobby S., xxx-xx-xxxx  
 Medina-Malave, S., xxx-xx-xxxx  
 Miles, Gerald W., xxx-xx-xxxx  
 Myers, Jonathan H., xxx-xx-xxxx  
 Nakashima, Earl M., xxx-xx-xxxx  
 Nolla, Jose A. M., xxx-xx-xxxx  
 Peterson, Weston W., xxx-xx-xxxx  
 Robinson, Stephen R., xxx-xx-xxxx  
 Rodriguez, Alberto, xxx-xx-xxxx  
 Rosa-Agosto, Antonio, xxx-xx-xxxx  
 Runnebaum, Ralph D., xxx-xx-xxxx  
 Sasser, Preston C., xxx-xx-xxxx  
 Singleton, Cyrille, xxx-xx-xxxx  
 Stacks, Jesse T., III, xxx-xx-xxxx  
 Tobin, Alfred E., xxx-xx-xxxx  
 Walker, Thomas B., xxx-xx-xxxx  
 Wever, Robert C., xxx-xx-xxxx  
 Wheel, George S., xxx-xx-xxxx  
 White, John M., Jr., xxx-xx-xxxx  
 Wright, Richard A., xxx-xx-xxxx  
 Yliniemi, Arthur D., xxx-xx-xxxx

## MEDICAL CORPS

## To be lieutenant colonel

Anderson, Dennis L., xxx-xx-xxxx  
 Aragones, Jaime V., xxx-xx-xxxx  
 Cirelli, John J., xxx-xx-xxxx  
 Jefferson, Thomas C., xxx-xx-xxxx  
 Law, Ivan P., xxx-xx-xxxx  
 Muckala, Kenneth A., xxx-xx-xxxx  
 Von Feldt, Francis, xxx-xx-xxxx

## MEDICAL SERVICE CORPS

## To be lieutenant colonel

Belt, Dick I., xxx-xx-xxxx  
 Lech, Robert P., xxx-xx-xxxx

## IN THE ARMY

The following-named officers for promotion in the Reserve of the Army of the United States, under the provisions of title 10, United States Code, section 3383:

## ARMY PROMOTION LIST

## To be colonel

Alexander, William, xxx-xx-xxxx  
 Alm, Dennis C., xxx-xx-xxxx  
 Anderson, Robert E., xxx-xx-xxxx  
 Cerhan, Keith A., xxx-xx-xxxx  
 Chandler, George K., xxx-xx-xxxx  
 Colton, John P., xxx-xx-xxxx  
 DePauw, John W., xxx-xx-xxxx

Grigg, Ausie B., Jr. xxx-xx-xxxx  
 Hillhouse, Kent H. xxx-xx-xxxx  
 Jeffries, John R. xxx-xx-xxxx  
 Johnson, Andrew xxx-xx-xxxx  
 Knipper, William A. xxx-xx-xxxx  
 Mahle, Clarence E. xxx-xx-xxxx  
 Mataranglo, Francis xxx-xx-xxxx  
 Ritchie, James E. xxx-xx-xxxx  
 Rostron, Ira R. xxx-xx-xxxx  
 Schmitt, Frederick xxx-xx-xxxx  
 Selig, John S. xxx-xx-xxxx  
 Sullivan, James J. xxx-xx-xxxx  
 Thom, William H. xxx-xx-xxxx  
 Wheeler, Leonard E. xxx-xx-xxxx  
 Whitten, William J. xxx-xx-xxxx

## ARMY NURSE CORPS

*To be colonel*

Shields, Elizabeth xxx-xx-xxxx

## MEDICAL CORPS

*To be colonel*

Cheatham, William M. xxx-xx-xxxx  
 Gibaldi, Andre V. xxx-xx-xxxx  
 Larson, Arthur W. xxx-xx-xxxx

## MEDICAL SERVICE CORPS

*To be colonel*

Sauer, Richard L. xxx-xx-xxxx

## ARMY PROMOTION LIST

*To be lieutenant colonel*

Austin, Harry R. xxx-xx-xxxx  
 Barnette, Roy E. xxx-xx-xxxx  
 Benedict, Anthony J. xxx-xx-xxxx  
 Bevilacqua, Alfred xxx-xx-xxxx  
 Bondi, Hart E. xxx-xx-xxxx  
 Bowman, David K. xxx-xx-xxxx  
 Bradley, Darrell xxx-xx-xxxx  
 Browning, Ronald J. xxx-xx-xxxx  
 Cameron, David G. xxx-xx-xxxx  
 Chalustowski, George xxx-xx-xxxx  
 Clark, Richard H. xxx-xx-xxxx  
 Cormier, Paul E. xxx-xx-xxxx  
 Crain, James M. xxx-xx-xxxx  
 DeHanas, Jack M. xxx-xx-xxxx  
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 Dickinson, John W. xxx-xx-xxxx  
 Diehm, Larry V. xxx-xx-xxxx  
 Finch, Charles S. xxx-xx-xxxx  
 Fishman, Robert J. xxx-xx-xxxx  
 Furlow, Jewel L. xxx-xx-xxxx  
 Gallo, Gary G. xxx-xx-xxxx  
 Gentry, Ronald R. xxx-xx-xxxx  
 Geyer, Richard E. xxx-xx-xxxx  
 Greene, Ralph N. xxx-xx-xxxx  
 Hajime, Ronald T. xxx-xx-xxxx  
 Hardwick, Joseph R. xxx-xx-xxxx  
 Harman, William E. xxx-xx-xxxx  
 Hemphill, Robert P. xxx-xx-xxxx  
 Isenhath, Donald M. xxx-xx-xxxx  
 Jahrling, John C. xxx-xx-xxxx  
 Johnson, Alva V. xxx-xx-xxxx  
 Jones, Michael M. xxx-xx-xxxx  
 Jones, Stuart H. xxx-xx-xxxx  
 Jones, Thomas L. xxx-xx-xxxx  
 Kensic, Stanley V. xxx-xx-xxxx  
 King, Frederick L. xxx-xx-xxxx  
 Kurowski, Dennis E. xxx-xx-xxxx  
 Lent, Richard V. xxx-xx-xxxx  
 Lester, James M. xxx-xx-xxxx  
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 Mancini, Philip xxx-xx-xxxx  
 Marcotte, Joseph E. xxx-xx-xxxx  
 McCarthy, Robert xxx-xx-xxxx  
 Melancon, Roger D. xxx-xx-xxxx  
 Meyersburg, Richard xxx-xx-xxxx  
 Miller, Gary G. xxx-xx-xxxx  
 Moravec, James A. xxx-xx-xxxx  
 Morita, Hiroaki xxx-xx-xxxx  
 Mascato, Richard F. xxx-xx-xxxx  
 Motz, William F., Jr. xxx-xx-xxxx  
 Mullinix, Jerry D. xxx-xx-xxxx  
 Mundy, Andrew J. xxx-xx-xxxx  
 Munhoto, Manuel A. xxx-xx-xxxx

Nobles, Harold L. xxx-xx-xxxx  
 Orrock, Stanley O. xxx-xx-xxxx  
 Ostenberg, Robert B. xxx-xx-xxxx  
 Paternoster, Peter xxx-xx-xxxx  
 Porath, William H. xxx-xx-xxxx  
 Quinlan, Kevin E. xxx-xx-xxxx  
 Ritchie, Robin P. xxx-xx-xxxx  
 Ross, John E. xxx-xx-xxxx  
 Rowell, John E. xxx-xx-xxxx  
 Skaggs, John J. xxx-xx-xxxx  
 Smith, Charles K. xxx-xx-xxxx  
 Strain, Albert R. xxx-xx-xxxx  
 Takamiya, George xxx-xx-xxxx  
 Taylor, Howard T. xxx-xx-xxxx  
 Tenney, Garry R. xxx-xx-xxxx  
 Turney, Robert W. xxx-xx-xxxx  
 Vance, Richard D. xxx-xx-xxxx  
 Vandegrift, Thomas xxx-xx-xxxx  
 Vanrengen, Jules G. xxx-xx-xxxx  
 Walkush, Thomas J. xxx-xx-xxxx  
 Waller, Thomas S. xxx-xx-xxxx  
 Yessen, Joseph B. xxx-xx-xxxx

## CHAPLAIN

*To be lieutenant colonel*

Fitzgerald, Joseph xxx-xx-xxxx  
 Keating, Robert M. xxx-xx-xxxx

## ARMY NURSE CORPS

*To be lieutenant colonel*

Johnson, Helen D. xxx-xx-xxxx  
 Neumann, Mildred K. xxx-xx-xxxx

## MEDICAL CORPS

*To be lieutenant colonel*

Danton, Jack A. xxx-xx-xxxx  
 Michelsen, C. B. xxx-xx-xxxx  
 Mukerjee, Dwarika N. xxx-xx-xxxx  
 Murphy, Edward C. xxx-xx-xxxx  
 Snowdy, Harry A., Jr. xxx-xx-xxxx  
 Toth, Elizabeth A. xxx-xx-xxxx  
 Williams, Wilbur D. xxx-xx-xxxx

## MEDICAL SERVICE CORPS

*To be lieutenant colonel*

Baron, Ronald F. xxx-xx-xxxx  
 Lozeau, Gerard A. xxx-xx-xxxx  
 Phillips, Glenn A. xxx-xx-xxxx  
 St. Aubin, Forrest xxx-xx-xxxx

The following named officers for appointment in the Reserve of the Army of the United States, under the provisions of title 10, United States Code, section 3353:

## MEDICAL CORPS

*To be colonel*

Buckingham, John L. xxx-xx-xxxx  
 Hill, George C. xxx-xx-xxxx  
 Loeb, Richard O. xxx-xx-xxxx  
 Wilke, Louis xxx-xx-xxxx

## MEDICAL CORPS

*To be lieutenant colonel*

Anderson, Harold F. xxx-xx-xxxx  
 Culson, Eduardo C. xxx-xx-xxxx  
 Donahoo, Stanley E. xxx-xx-xxxx  
 Dubin, David B. xxx-xx-xxxx  
 Durden, Walter D. xxx-xx-xxxx  
 Gehring, David A. xxx-xx-xxxx  
 Gerkin, David G. xxx-xx-xxxx  
 Hilbun, Glyn R. xxx-xx-xxxx  
 Mittelman, Michael xxx-xx-xxxx  
 Robinson, William A. xxx-xx-xxxx  
 Rundle, T. J. xxx-xx-xxxx  
 Vuckovich, Dragomir xxx-xx-xxxx  
 Williams, Charles xxx-xx-xxxx

The following named Army National Guard officers for promotion in the Reserve of the Army of the United States, under the provisions of title 10, United States Code, section 3385:

## ARMY PROMOTION LIST

*To be colonel*

Ando, Takashi xxx-xx-xxxx  
 Boggs, Thomas W. xxx-xx-xxxx

Canard, Granville C. xxx-xx-xxxx  
 Carpenter, Ansel D. xxx-xx-xxxx  
 Day, Benjamin W., Jr. xxx-xx-xxxx  
 De Iorio, Charles W. xxx-xx-xxxx  
 Dhionis, George C. xxx-xx-xxxx  
 Gay, David W. xxx-xx-xxxx  
 Hamilton, Johnnie C. xxx-xx-xxxx  
 Martin, Jesse M. xxx-xx-xxxx  
 McNair, Charles L. xxx-xx-xxxx  
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 Ryall, William F., xxx-xx-xxxx  
 Sabo, Thomas W., xxx-xx-xxxx  
 Sammon, Eugene E., xxx-xx-xxxx  
 Sanchez, Reynaldo, xxx-xx-xxxx  
 Sandbach, Henry A., xxx-xx-xxxx  
 Sandlin, Thomas E., xxx-xx-xxxx  
 Santoro, Robert T., xxx-xx-xxxx  
 Sauer, Richard L., xxx-xx-xxxx  
 Saunders, Charles R., xxx-xx-xxxx  
 Sava, Charles C., xxx-xx-xxxx  
 Schaub, Cornelius C., xxx-xx-xxxx  
 Schlather, Wilfred, xxx-xx-xxxx  
 Schoonmaker, James, xxx-xx-xxxx  
 Schottler, Guy L., xxx-xx-xxxx  
 Schultz, Gary E., xxx-xx-xxxx  
 Scribner, Richard S., xxx-xx-xxxx  
 Scully, John J., xxx-xx-xxxx  
 Seavey, Richard W., xxx-xx-xxxx  
 Secrist, Clarence R., xxx-xx-xxxx  
 Sefton, Frank N., III, xxx-xx-xxxx  
 Seymour, Harold K., xxx-xx-xxxx  
 Sharp, Edward N., xxx-xx-xxxx  
 Shaver, Fred W., xxx-xx-xxxx  
 Shields, Gale A., xxx-xx-xxxx  
 Shields, Paul R., xxx-xx-xxxx  
 Short, Robert A., xxx-xx-xxxx  
 Sievers, Donald R., xxx-xx-xxxx  
 Silvester, L. Jay, xxx-xx-xxxx  
 Simmons, Franklin D., xxx-xx-xxxx  
 Simmons, Gene D., xxx-xx-xxxx  
 Simmons, Jerry D., xxx-xx-xxxx  
 Simon, Benjamin J., xxx-xx-xxxx  
 Simonson, Elmer O., xxx-xx-xxxx  
 Sinnott, John P., xxx-xx-xxxx  
 Sirk, Harry V., xxx-xx-xxxx  
 Sloan, Allan P., Jr., xxx-xx-xxxx  
 Smets, William N., xxx-xx-xxxx  
 Smith, David E., xxx-xx-xxxx  
 Smith, Donald E., xxx-xx-xxxx  
 Smith, Donald G., xxx-xx-xxxx  
 Smith, Earnest C., xxx-xx-xxxx  
 Smith, Gary J., xxx-xx-xxxx  
 Smith, Joe N., xxx-xx-xxxx  
 Smith, Vernal J., xxx-xx-xxxx  
 Sniadach, Louis M., xxx-xx-xxxx  
 Snyder, George C., xxx-xx-xxxx  
 Snyder, Leslie D., xxx-xx-xxxx  
 Spellacy, William A., xxx-xx-xxxx  
 Spradlin, Billie C., xxx-xx-xxxx  
 Spunzo, Raymond A., xxx-xx-xxxx  
 Stark, James M., Jr., xxx-xx-xxxx  
 Starring, John W., xxx-xx-xxxx  
 Steele, Billy D., xxx-xx-xxxx  
 Steiden, William E., xxx-xx-xxxx  
 Steiner, George J., xxx-xx-xxxx  
 Stephens, Lionel L., xxx-xx-xxxx  
 Stiglets, Jimmy W., xxx-xx-xxxx  
 Stoll, Walter J., xxx-xx-xxxx  
 Stoneman, Philip N., xxx-xx-xxxx  
 Storat, Richard E., xxx-xx-xxxx  
 Strong, Bob C., xxx-xx-xxxx  
 Suedekum, Clarence, xxx-xx-xxxx

Summers, Patrick L., xxx-xx-xxxx  
 Taaffe, Robert L., xxx-xx-xxxx  
 Tanner, Howard C., xxx-xx-xxxx  
 Taylor, James E., xxx-xx-xxxx  
 Thieman, Frederick, xxx-xx-xxxx  
 Thomas, Arthur E., xxx-xx-xxxx  
 Thompson, Forrest L., xxx-xx-xxxx  
 Thompson, Ray L., xxx-xx-xxxx  
 Thompson, Walter L., xxx-xx-xxxx  
 Thornton, Elwood J., xxx-xx-xxxx  
 Thorpe, Michael D., xxx-xx-xxxx  
 Tilley, Allen D., xxx-xx-xxxx  
 Tilman, George M., xxx-xx-xxxx  
 Topper, John A., xxx-xx-xxxx  
 Tramma, Joseph M., xxx-xx-xxxx  
 Treadwell, Elwood F., xxx-xx-xxxx  
 Tschider, Richard A., xxx-xx-xxxx  
 Turner, Elbert F., xxx-xx-xxxx  
 Tyler, Terry J., xxx-xx-xxxx  
 Vargas, Francisco M., xxx-xx-xxxx  
 Vaughan, Christopher, xxx-xx-xxxx  
 Vienneau, Lloyd R., xxx-xx-xxxx  
 Volz, Russell L., xxx-xx-xxxx  
 Vowell, Leonard G., xxx-xx-xxxx  
 Wakefield, Richard, xxx-xx-xxxx  
 Waldron, Johnnie J., xxx-xx-xxxx  
 Waldrup, William C., xxx-xx-xxxx  
 Wallace, James D., xxx-xx-xxxx  
 Wallin, Richard J., xxx-xx-xxxx  
 Waltman, Larry F., xxx-xx-xxxx  
 Warr, James W., xxx-xx-xxxx  
 Wattel, Marshall L., xxx-xx-xxxx  
 Whipple, Gary J., xxx-xx-xxxx  
 White, William R., xxx-xx-xxxx  
 Whitehead, Joseph D., xxx-xx-xxxx  
 Williams, Earl W., xxx-xx-xxxx  
 Williams, Ernest D., xxx-xx-xxxx  
 Williams, Richard J., xxx-xx-xxxx  
 Williams, Walter L., xxx-xx-xxxx  
 Williford, Robert W., xxx-xx-xxxx  
 Wills, Robert C., xxx-xx-xxxx  
 Wilson, Bobby D., xxx-xx-xxxx  
 Wilson, Carl A., xxx-xx-xxxx  
 Wilson, Robert W., xxx-xx-xxxx  
 Wilton, Michael R., xxx-xx-xxxx  
 Winker, Maurice C., xxx-xx-xxxx  
 Wood, Rex G., xxx-xx-xxxx  
 Wright, Allen D., xxx-xx-xxxx  
 Wright, Harold E., xxx-xx-xxxx  
 Wright, Raymond J., xxx-xx-xxxx  
 Wurtele, Ronald M., xxx-xx-xxxx  
 Wyse, Ronald C., xxx-xx-xxxx  
 Young, John R., xxx-xx-xxxx  
 Zimmerman, Joseph A., xxx-xx-xxxx

## CHAPLAIN

## To be colonel

Benner, Claude J., xxx-xx-xxxx  
 Boegl, Sigmund W., xxx-xx-xxxx  
 Elster, Sheldon E., xxx-xx-xxxx  
 Gummelt, Walter G., xxx-xx-xxxx  
 Hert, Darrald P., xxx-xx-xxxx  
 Hoard, Samuel L., xxx-xx-xxxx  
 Horn, Laurence G., xxx-xx-xxxx  
 Johnson, Caleb H., xxx-xx-xxxx  
 Kelin, Daniel A., xxx-xx-xxxx  
 Kesler, James W., xxx-xx-xxxx  
 Nelson, Elbert L., xxx-xx-xxxx  
 Perkins, Delaine T., xxx-xx-xxxx  
 Pierce, James E., xxx-xx-xxxx  
 Rose, Robert H., xxx-xx-xxxx  
 Saunders, Albert C., xxx-xx-xxxx  
 Smith, Wesley H., xxx-xx-xxxx  
 Spear, Ralph S., xxx-xx-xxxx  
 Townsend, David K., xxx-xx-xxxx  
 Ward, Wayne R., xxx-xx-xxxx  
 Westfield, Arnold D., xxx-xx-xxxx

## ARMY PROMOTION LIST

## To be lieutenant colonel

Douglas, Robert N., xxx-xx-xxxx  
 Laclare, Edward J., xxx-xx-xxxx  
 Ochsenhirt, James S., xxx-xx-xxxx  
 Ramey, William T., xxx-xx-xxxx

## IN THE ARMY

The following-named officers for permanent promotion in the U.S. Army in accordance with the appropriate provisions of title 10, United States Code, section 624:

## VETERINARY CORPS

## To be colonel

Imes, George D., Jr., xxx-xx-xxxx

## MEDICAL CORPS

## To be colonel

Lazarini, Jose A., xxx-xx-xxxx  
 McCreary, Maurice L., xxx-xx-xxxx

## MEDICAL CORPS

## To be lieutenant colonel

Kellogg, Aurora G., xxx-xx-xxxx

## ARMY NURSE CORPS

## To be major

Casey, Linda J., xxx-xx-xxxx  
 Fellows, Annabelle L., xxx-xx-xxxx  
 Norgan, Robert, xxx-xx-xxxx

## MEDICAL CORPS

## To be major

Russell, Howard, xxx-xx-xxxx

## IN THE ARMY

The following-named officers for permanent promotion in the U.S. Army in accordance with the appropriate provisions of title 10, United States Code, section 624:

## To be colonel

Jackson, Claude K., xxx-xx-xxxx  
 Liepis, William J., xxx-xx-xxxx

## To be lieutenant colonel

Bernath, Clifford H., xxx-xx-xxxx  
 Eldridge, Gary W., xxx-xx-xxxx  
 Jeffries, William C., Jr., xxx-xx-xxxx  
 Karig, Martin R., xxx-xx-xxxx  
 Magers, David H., xxx-xx-xxxx  
 Spence, Avery C., xxx-xx-xxxx  
 York, John F., xxx-xx-xxxx

## To be major

Clausi, Enrico A., xxx-xx-xxxx  
 Crosby, Gordon E., III, xxx-xx-xxxx  
 Hoggatt, Lawrence W., xxx-xx-xxxx  
 Kichen, Lee F., xxx-xx-xxxx  
 Munson, Charles A., xxx-xx-xxxx

## IN THE ARMY

The following-named officers for appointment under automatic integration in the Regular Army of the United States, in promotion grade lieutenant colonel, under the provisions of section 531, 532, and 533, title 10, United States Code:

Anthony, Jeffrey D., xxx-xx-xxxx  
 Bass, Garry M., xxx-xx-xxxx  
 Backer, Stephen C., xxx-xx-xxxx  
 Boucher, Jeffrey A., xxx-xx-xxxx  
 Brown, Charles, xxx-xx-xxxx  
 Brown, Leneld E., xxx-xx-xxxx  
 Buirge, David C., xxx-xx-xxxx  
 Bunnett, Thomas F., xxx-xx-xxxx  
 Butcher, Steven W., xxx-xx-xxxx  
 Coleman, John F., xxx-xx-xxxx  
 Davis, Joseph P., xxx-xx-xxxx  
 Downey, James E., xxx-xx-xxxx  
 Drozd, Henry J., xxx-xx-xxxx  
 Frew, Russell E., xxx-xx-xxxx  
 Gragiulo, Mario, xxx-xx-xxxx  
 Garrison, Lee E., xxx-xx-xxxx  
 Glanville, Robert L., xxx-xx-xxxx  
 Griffith, Craig A., xxx-xx-xxxx  
 Haugan, Thomas F., xxx-xx-xxxx  
 Hodson, Michael E., xxx-xx-xxxx  
 Hoehne, William F., xxx-xx-xxxx  
 Houlihan, John T., xxx-xx-xxxx  
 Kayes, Theodore O., xxx-xx-xxxx  
 Kissinger, Wayne E., xxx-xx-xxxx  
 Knox, Paul G., xxx-xx-xxxx

Lamm, Frederick W., xxx-xx-xxxx  
 Lemones, Gerald W., xxx-xx-xxxx  
 Michelson, Aaron D., xxx-xx-xxxx  
 Pearson, Robert L., xxx-xx-xxxx  
 Prechtel, Earl C., xxx-xx-xxxx  
 Prostack, Thomas S., xxx-xx-xxxx  
 Rooney, James W., xxx-xx-xxxx  
 Schmid, John W., xxx-xx-xxxx  
 Schmidt, Ronald E., xxx-xx-xxxx  
 Shannon, John C., xxx-xx-xxxx  
 Shuck, Kenneth L., xxx-xx-xxxx  
 Skinner, Albert C., xxx-xx-xxxx  
 Smith, Wayne S., xxx-xx-xxxx  
 Sprayberry, James A., xxx-xx-xxxx  
 Stanley, Stanley F., xxx-xx-xxxx  
 Umbarger, Joseph H., xxx-xx-xxxx  
 Vangorp, Philip E., xxx-xx-xxxx  
 Volk, Arthur J., xxx-xx-xxxx  
 Waggoner, Carroll M., xxx-xx-xxxx  
 Waldman, Jay H., xxx-xx-xxxx  
 Waller, Luther O., xxx-xx-xxxx

#### IN THE ARMY

The following named officers for permanent promotion in the U.S. Army in accordance with the appropriate provisions of title 10, United States Code, section 624:

#### To be lieutenant colonel

Sempek, Robert A., xxx-xx-xxxx  
 Wilson, Gale D., Jr., xxx-xx-xxxx

#### MEDICAL SERVICE CORPS

#### To be lieutenant colonel

Boecher, Frederick W., xxx-xx-xxxx  
 Jackson, Walter F., xxx-xx-xxxx

#### ARMY NURSE CORPS

#### To be lieutenant colonel

Morrill, Kenneth F., xxx-xx-xxxx

#### To be major

Bowman, Rodney H., Jr., xxx-xx-xxxx  
 Wright, Stafford E., xxx-xx-xxxx

#### MEDICAL CORPS

#### To be major

Burner, Scott H., xxx-xx-xxxx

#### DENTAL CORPS

#### To be major

Pitchford, John H., xxx-xx-xxxx

#### IN THE ARMY

The following named officer for appointment in the Regular Army of the United States under the Defense Officer Personnel Management Act (DOPMA), in his active duty grade, under the provisions of sections 531, 532, and 533, title 10, United States Code:

#### To be major

Reinoehi, Jerry B., xxx-xx-xxxx

The following named officers for appointment under automatic integration in the Regular Army of the United States under the provisions of sections 531, 532, and 533, title 10, United States Code:

#### To be colonel

Mabry, Richard M., xxx-xx-xxxx  
 Perlow, Joyce S., xxx-xx-xxxx

#### To be lieutenant colonel

Robertson, William L., xxx-xx-xxxx  
 Wright, Frank R., xxx-xx-xxxx

#### To be major

Szabados, Paul D., xxx-xx-xxxx

#### IN THE ARMY

The following named officers for appointment in the Regular Army of the United States, in their active duty grades, under the provisions of title 10, United States Code, section 531, 532, 533:

#### JUDGE ADVOCATE GENERAL'S CORPS

#### To be captain

Bartholomew, Heman B., xxx-xx-xxxx  
 Betsacon, Nicholas J., xxx-xx-xxxx  
 Byczek, Marilyn C., xxx-xx-xxxx  
 Drummond, Constance A., xxx-xx-xxxx  
 Dunn, Malinda E., xxx-xx-xxxx  
 Fernandez-Greczmiel, Maria C., xxx-xx-xxxx  
 Gallagher, Michael G., xxx-xx-xxxx  
 Gilmore, Maureen E., xxx-xx-xxxx  
 Gordon, Richard E., xxx-xx-xxxx  
 Hilmo, Orin R., xxx-xx-xxxx  
 Hinton, John, III, xxx-xx-xxxx  
 Hollis, Wendell A., xxx-xx-xxxx  
 Hunter, Willis C., xxx-xx-xxxx  
 Ivandick, Mark J., xxx-xx-xxxx  
 Lawson, Jerry A., xxx-xx-xxxx  
 Littleton, Robert L., Jr., xxx-xx-xxxx  
 Llewellyn, Thomas S., xxx-xx-xxxx  
 Meyer, Jack L., xxx-xx-xxxx  
 O'Connor, Elizabeth W., xxx-xx-xxxx  
 Pohl, James L., xxx-xx-xxxx  
 Rigrish, Robert E., xxx-xx-xxxx  
 Sandul, Michael L., xxx-xx-xxxx  
 Slemmer, Stephanie W., xxx-xx-xxxx  
 Skennion, Michael G., xxx-xx-xxxx  
 Spero, Norman R., xxx-xx-xxxx  
 Stevenson, Samuel T., xxx-xx-xxxx  
 Sylvester, John V., xxx-xx-xxxx  
 Thieman, James L., xxx-xx-xxxx  
 Vanderboom, Kathleen A., xxx-xx-xxxx  
 Warren, Gerald L., xxx-xx-xxxx  
 Will, Clark B., xxx-xx-xxxx

#### IN THE ARMY

The following named officers for appointment in the Regular Army of the United States, in their active duty grades, under the provisions of title 10, United States Code, sections 531, 532, 533:

#### JUDGE ADVOCATE GENERAL'S CORPS

#### To be captain

Adams, Paul F., xxx-xx-xxxx  
 Allen, Charles M., xxx-xx-xxxx  
 Berry, Dean C., xxx-xx-xxxx  
 Bivins, Demetrius K., xxx-xx-xxxx  
 Chute, Alan D., xxx-xx-xxxx  
 Ditton, Michael H., xxx-xx-xxxx  
 Gsteiger, Urs R., xxx-xx-xxxx  
 Hutter, Paul T., xxx-xx-xxxx  
 Ibbotson, William H., xxx-xx-xxxx  
 Killham, Michael A., xxx-xx-xxxx  
 La Force, Glen W., xxx-xx-xxxx  
 Lamb, Robert M., xxx-xx-xxxx  
 Lisowski, Patrick W., xxx-xx-xxxx  
 Lowe, Craig W., xxx-xx-xxxx  
 McFarland, John M., xxx-xx-xxxx  
 Medsger, William R., xxx-xx-xxxx  
 Melvin, Bobby D., xxx-xx-xxxx  
 Pointer, David L., xxx-xx-xxxx  
 Romaneski, Mark J., xxx-xx-xxxx  
 Wagner, Carl M., xxx-xx-xxxx  
 Warner, Andrew M., xxx-xx-xxxx

#### IN THE MARINE CORPS

The following named officers of the Marine Corps for permanent appointment to the grade of major, under provisions of title 10, United States Code, Section 628:

Biser, Mark H., xx  
 Rucks, Charles H., xx

#### IN THE MARINE CORPS

The following named Naval Reserve Officers Training Corps graduates for permanent appointment to the grade of second lieutenant in the U.S. Marine Corps, pursuant to title 10, United States Code, section 2107:

Anderson, Truman O., III, xx  
 Chin, Calvin A., xx  
 Etter, Raymond W., xx  
 Fitzgerald, Gary B., xx  
 Frische, Ellen M., xx

Grace, James C., xx  
 Hall, John A., Jr., xx  
 Hollar, Blake D., xx  
 Kilroy, Robert L., xx  
 Manning, Mary E., xx  
 McDavid, Dwayne T., xx  
 Miles, Darryn S., xx  
 Porter, William B., xx  
 Sharrock, Jeffrey J., xx  
 Toth, Robert J., xx  
 Viezer, Stephen L., xx  
 Vinson, Jonathan L., xx  
 Young, Steven J., xx  
 Zimmerman, Joan F., xx

The following named Marine Corps Enlisted Commissioning Education program graduates for permanent appointment to the grade of second lieutenant in the U.S. Marine Corps, pursuant to title 10, United States Code, section 531:

Beale, Michael K., xx  
 Emery, Jeffery L., xx  
 Kelley, Elizabeth A., xx  
 Ritchie, Robert F., IV, xxxx  
 Row, Lisa A., xx

#### IN THE NAVY

The following named commanders of the reserve of the U.S. Navy for permanent promotion to the grade of captain in the Staff Corps, as indicated, pursuant to the provisions of title 10, United States Code, section 5912:

#### MEDICAL CORPS

Albritton, John Thomas  
 Bogart, Sydney David  
 Britton, Melvin Creed, Jr.  
 Buchta, Richard Michael  
 Canada, Catherine Farrar  
 Casebeer, Harvey Lee  
 Chapman, Charles K.  
 Conte, Stephen John  
 Davis, Thomas Stanley  
 Davis, William Eugene  
 Fogle, Philip Richard  
 Friebe, Harry Thomas  
 Fussell, Maceae Eugene  
 Goetz, John Richard  
 Hipol, Manuel Abuan  
 Irving, Buster L.  
 Iskowitz, Robert  
 Jensen, Joseph Edgar, Jr.  
 Johnson, Charles Loren  
 Kao, Grace F.  
 Klarman, Edward Lawrence  
 Kohl, Ernest James  
 Krieg, Earl Michael  
 Kunz, Arthur Ernest, Jr.  
 Leatherman, Edward Hopkins  
 MacDonald, Vance Douglas  
 Macon, Philip Fredericke  
 McIntyre, John Duncan  
 Meade, Clyde Kingstone  
 Meltz, Fred  
 Mixon, William Alfred  
 Moore, Vernon J., Jr.  
 Morris, Drewry Hampton  
 Newman, Benjamin Goodrich  
 Panek, Henry Francis  
 Reisenweber, Harvey Donaldso  
 Rivers, Paul  
 Rothenberg, Harold Jay, II  
 Rousseau, David Victor  
 Stewart, James Andrew  
 Storey, James David  
 Tate, James Edward  
 Taylor, Benjamin Thomas  
 Thieman, Phillip Warner  
 Thomas, Herbert Cushing, Jr.  
 Thomas, Roger Bernard, Jr.  
 Tinker, John Harry  
 Vickerman, Robert Lynn  
 Wettach, George Edward



Wilcox, John Dudley, Jr.  
Williams Edward D.  
Winsky, Arlen Duane

## SUPPLY CORPS

*To be captain*

Allen, Wayne Lawrence  
Bell, James Judd  
Benko, David Frank  
Blankenfeld, Richard K.  
Bodour, Haig  
Chandler, Martin McCoy  
Copeland, Stuart William  
Cronin, John Love, Jr.  
Dunlap, Clarence Craton  
Fulghum, Robert Eugene  
Hewitt, Cullen  
Howell, Thomas William  
Humphreys, Keith Cordell  
Knoesel, Donald Erwin  
Lamb, Donald Lawrence  
Lilly, Gerald Edward  
Lutz, Harold Gilbert, Jr.  
McGahey, Gerald Martin D.  
Peterson, Lowell Harold  
Pierce, Vernon Lynn  
Plotrowski, Roman Eugene  
Rutherford, David Ames  
Sheffield, Charles Harwell  
Smith, Richard Dwight  
Steuben, Robert Wilkes  
Vellenga, Daniel Richard  
Vellenga, David Bernard  
Woodard, Richard Lee

## SUPPLY CORPS (TAR)

*To be captain*

Ridgway, Evan L.

## CHAPLAIN CORPS

*To be captain*

Anderson, Sherwood William  
Armerding, Carl E.  
Cox, Douglas William  
Davis, William Clayton  
Force, Daniel Lawrence  
Goldburg, Jay Bernard  
Griffith, John Duff  
Handley, Thomas Beck  
Heino, Jack Leroy  
Hodder, Kenneth Laslett  
Poerschke, James Paul  
Rawden, John Arthur  
Spittler, Russell Paul, Jr.

## CIVIL ENGINEER CORPS

*To be captain*

Bedenbaugh, Garnett Franklin  
Bergstrom, Robert Russell  
Ferriter, Robert Lawrence  
Frenkel, Robert Leland  
Gutierrez, Rosendo, Jr.  
Gutzwiller, Kenneth Joseph  
Hanna, Bruce Edward  
Hanson, Martin Philip  
Haupt, Robert Richards  
Hudspeth, Robert Turner  
Long, Richard Rice  
Lukshin, Dimitri Alexander  
Smith, Sherrill Edwin  
Stratbucker, Gerald Leigh  
Vandiver, Earnest Lucian

## JUDGE ADVOCATE GENERAL'S CORPS

*To be captain*

Adams, Jared Hopedill  
Birkmeyer, Roy James  
Blackmon, Robert Max  
Burnette, Frank Le Russell  
Calise, Nicholas James  
Coffman, Aldine Jacob, Jr.  
Corr, John William  
Davey, Francis Leslie, Jr.  
Dunbar, John D.  
Duncan, Stephen Mack  
Fitzgerald, James Austin

France, Ralph Hayward, II  
Friedman, Howard  
Furgason, David Wallace  
Gardner, James Knoll  
Holland, Tommy Travis  
Hopkins, Alton Hunter  
Howarth, John Noble  
Huss, William Weissman, Jr.  
Johnston, Burrell Dean, Jr.  
Johnston, Robert Griffin  
Katz, Myron Baer  
Keisman, Howard, IRA  
Knlep, Francis Gillen  
Knoll, John Philip  
Lenehan, George Thompson  
Loser, Robert Walter, II  
Martinez, Jose Expedito  
Mauck, William Lacy  
McGavran, Francis Johnston  
McLeod, Walton James, III  
McNamar, David Fred  
McNertney, William John  
Meyers, Gerson E.  
Miller, Clarence Phillip  
Mobley, Keith Arnold  
Montagna, Anthony Louis, Jr.  
Morgan, William Frank  
Rapps, Richard Edward  
Rosenthal, Joseph Meyer  
Rowe, Larry R.  
Simpson, Robert Michael  
Solomon, Robert Harris  
Steffens, Theodore C.  
Strong, David Bruce  
Teborek, James S.  
Vacca, Fred William  
Williams, Neil Carson, III

## DENTAL CORPS

*To be captain*

Allen, James Richard  
Barnes, Edward Dorsey  
Becker, William John  
Caldwell, Clifton Ormond, Jr.  
Campbell, Bowen, Jr.  
Carroll, Roy B.  
Clendenin, George Gary  
Detrick, Mark  
Devereux, James Lawrence  
Dickinson, George Ernest, II  
Gier, Ronald Eldon  
Grace, Edward George  
Graupner, John Graham  
Hall, Richard Lee  
Harnett, Jeffrey H.  
Hatcher, Fredric Ford  
Howell, Gerald Lewis  
Jacobs, Morton Saul  
Lindsay, Joseph Lloyd, III  
Manning, Dennis Edward  
McCarthy, Terrence Francis  
Roller, George Stewart  
Rosenberger, Jay Norman  
Sternberg, Neil Victor  
Sweeney, William John  
Vaillant, Dennis Peter  
Ward, George Howell  
Wenck, Frederick, Jr.

## MEDICAL SERVICE CORPS

*To be captain*

Anthony, John Raymond  
Bowers, Richard Ronald  
Brookes, John A. H.  
Brown, William King  
Dunn, Robert Fowler  
Gaines, Richard Noel  
Jones, John Goff  
Lewis, Alan Laird  
Miener, Clyde John  
Sullins, William David, Jr.  
Thorpe, Bert Duane  
Vingoe, William Charles  
Wheeler, John Rollins

## NURSE CORPS

*To be captain*

Bauer, Catherine Marie  
Cavanaugh, Mary Bradley  
Meissner, Sonya K. L.  
White, Sylvia Ethel

## IN THE NAVY

The following-named lieutenant commanders of the Reserve of the U.S. Navy for permanent promotion to the grade of commander in the Staff Corps, as indicated, pursuant to the provisions of title 10, United States Code, section 5912:

## MEDICAL CORPS

*To be commander*

Abaya, Constante U.  
Alvarez, Franco  
Arcacha, Miguel Angel, Jr.  
Baldo, Edna R.  
Banerjee, Timir  
Batchelder, Barron, M.  
Braun, Robert Arthur  
Brown, Douglas W.  
Buck, David Richard  
Bundy, Walter Edward, III  
Burgess, William Thomas  
Burnett, Clifford Franklin  
Byington, Donald Paul  
Carpenter, Robert James, Jr.  
Carrillo, Robert P.  
Crawley, David Bruce  
Cuison, Eduardo Castro  
Davis, John Michael  
Deweerd, James H., Jr.  
Dohrmann, Mary Lea  
Domaguino, Macario Deleon, Jr.  
Drew, Melving  
Gerrie, Marshall James, Jr.  
Guico, Mercedes Favis  
Hagler, Donald Joseph  
Hart, Benjamin A.  
Hayhurst, Edward Guerard  
Head, Rufus A.  
Hoelzer, Dennis James  
Holmes, William E.  
Honaas, Trygve Olaf  
Irelandpeters, James Joseph  
Irwin, James Robert  
Islam, Mohammed Shahidul  
Jassir, Carlos  
Johnson, David Butler  
Jones, Jun Young  
Jones, Robert Dennis  
Jones, William Dugmore, III  
Kallingal, Sebastian  
Kayen, Sabih  
Kearney, Gary Paul  
Kelley, Roger D.  
Koen, Lyle D.  
Krantz, Leland Kenneth  
Krueger, Gordon Earl  
Kucharchuk, Andrew  
Kurtz, Kenneth John  
Lamb, Ronald Bruce  
Lapenta, Michael James  
Lee, Doris Chan  
Locke, Charles J.  
Majewski, James Wieslaw  
Maley, Thomas Joseph, Jr.  
Maltes, Edward Herbert  
Marshall, Vaughn G.  
Mazzara, Sauveur Vincent  
McCoid, Gerald R.  
McLeod, Timothy Lee  
Mismanos, Teresita Lascano  
Moretz, Joseph A., III  
Neal, William Albert  
Osborne, Robert C.  
Overton, Eugene W.  
Parker, Edward W., Jr.  
Patterson, Jeffrey D.  
Patton, Robert Clyde

Pierce, Allyn Michael  
 Rees, James Hunter  
 Riverapietri, Jose Luis  
 Rolniak, Wallace Anthony  
 Sellek, Julian A.  
 Sharp, Donald A.  
 Sharp, Jimmy F.  
 Shumaik, George M.  
 Somaskanda, Ambalavanar  
 Sprague, Donald Eldon  
 Steffen, Thomas Edward  
 Strasburger, Arthur Kaufman  
 Tate, Emmett Lee.  
 Thane, Thane T.  
 Toffle, Roger C.  
 Tomas, Peter P.  
 Turner, James Ethridge  
 Vastola, James Watts  
 Weimar, George W.  
 White, James R.  
 Wilder, Thomas L.  
 Williams, Clemmie Lee, Sr.

SUPPLY CORPS  
*to be commander*

Aldrich, Robert Hervey  
 Anunson, Merton Gregory  
 Armentor, Jesse Joseph  
 Beagle, Brian L.  
 Beeman, Terry Neal  
 Beplat, Richard G.  
 Bigbee, Dalton L.  
 Boone, Paul Robert  
 Bottger, Ronald Ray  
 Brockmeier, Frederick, IV  
 Budway, John J.  
 Campbell, Thomas Andrew  
 Carrothers, Timothy Wilder  
 Clapper, Anthony Gerrard  
 Conklin, Michael Douglas  
 Crawford, Douglas Allen  
 Dawson, Howard Wesley, Jr.  
 Dunlap, Gene Harvey  
 Farthing, Larry Eugene  
 Ferris, William Michael  
 Fowler, George Oliver, III  
 Grier, Charles Hubert, Jr.  
 Groff, David Arthur  
 Groom, John Clifton  
 Gust, Bryan Darrell  
 Haffner, John Graham, Jr.  
 Haverty, John L.  
 Hult, Andrew Lee  
 Johnson, Earl Winslow, Jr.  
 Johnson, Terry Deane  
 Joyce, Robert Joseph  
 Kelsen, Christopher Brandt  
 Kennedy, George William  
 Kilpatrick, James Angelo  
 Koppenhaver, Larry Neil  
 Kriger, Milton Nora  
 Lamb, James H.  
 Mason, Edward Frank  
 Mason, William Forrest  
 McDonald, Douglas Hugh  
 McKinnon, Bill Hull  
 McVicar, Ronald Charles  
 McWhorter, Robert N.  
 Metzger, Steven D.  
 Morgan, Steven Robert  
 Mumma, Donald Charles  
 Nolan, Richard T.  
 Ochs, Larry Robert  
 Peck, David Critchfield  
 Phillips, Harold William  
 Potts, David Grayson  
 Puckett, Kenneth Brawn  
 Ramsey, Brenton Lee  
 Ratzman, Michael Neil  
 Rickards, John Douglas  
 Schubert, Fred J. III  
 Shaffer, Wayne Henderson  
 Shepherdson, Howard Grant  
 Solli, Richard Eugene  
 Stamberg, Allan John

Staple, Fitzhugh Dudley, Jr.  
 Strubel, Michael T.  
 Tepper, Joel Barry  
 Toft, Carl Emil  
 Triplett, William H., Jr.  
 Underwood, Edward Seymour, Jr.  
 White, Thomas Morgan  
 Woods, Charles Johnathan  
 Yonemoto, Ronald M.  
 Young, Ronald

SUPPLY CORPS (TAR)

*To be commander*

Johnson, Robert C.  
 Young, Clement C., II

CHAPLAIN CORPS

*To be commander*

Alexander, George Valentine  
 Austin, Alan Kenneth  
 Beckwith, Peter Hess  
 Bedsole, Billy Clarke  
 Charnov, Bruce Hirsch  
 Collins, Robert Stuckey, Jr.  
 Crabb, Glen Ernest  
 Cuny, Ronald E.  
 Kaiser, Ralph Leroy  
 Krogen, Richard Arne  
 Liston, Jonathan Miller  
 Manley, Wilford Clinton, Jr.  
 Mays, Lowell H.  
 Moran, James Francis  
 Nauman, Stelmo Harry, Jr.  
 Payne, John Douglas  
 Pestruie, Darell William  
 Russell, Peter Hastings  
 Strittmatter, Lawrence Richard  
 Wright, William Baskin

CIVIL ENGINEER CORPS

*To be commander*

Antoniak, Peter Richard  
 Armstrong, Glenn Michael  
 Bartlett, James Vincent, Jr.  
 Battles, Lolie Dean, Jr.  
 Brooks, Arthur Neal  
 Burrus, David Lane  
 Cambron, George Keith  
 Corbin, Homer Allen, Jr.  
 Cowan, Richard Franklin  
 Dore, George Thomas, Jr.  
 Feck, Denis John  
 Fluharty, Larry William  
 Fowden, James Albert, III  
 Franz, David Loewen, Jr.  
 Furukawa, Robert Masashi  
 Goltz, Kenneth Earl  
 Gorman, Thomas Patrick  
 Hobbs, Delbert Leonard  
 Hodnik, Terrence John  
 Holliday, Robert Olander, Jr.  
 Huckaby, Ernest David L.  
 Iannotti, John Peter, Jr.  
 Johnson, Thomas T.  
 Marlay, Robert Charles  
 Mazzeo, Russell Angelo  
 McAndrew, Robert Gavin, III  
 McGee, Edgar Cason  
 Mink, Charles Edward  
 Reim, Kenneth Ray  
 Rosberg, Dennis Oliver  
 Rosenbaum, David Eugene  
 Smith, Lauren Arthur  
 Smith, Thomas Givens, Jr.  
 St Clair, Harry  
 Thaumert, Ronald Lee  
 Wagner, Gary Lynn  
 Weyler, Michael Ernest  
 Wolfington, Thomas Carl

JUDGE ADVOCATE GENERAL'S CORPS

*To be commander*

Albro, Thomas E.  
 Ball, Dallas Dale  
 Bingman, Terrence Lee

Bryant, Julian Albert, Jr.  
 Clark, Joseph Talmage  
 Cole, Ford Robert  
 Deegan, Kenneth Arthur  
 Feist, Raymond Frank, Jr.  
 Fiske, Ronald Neil  
 Fortino, Paul Thomas  
 Hebert, George Stephen  
 Hinckley, Robert C.  
 Jozus, Ivars Andris  
 Kilgore, Ronald W.  
 King, Malvern Francis, Jr.  
 Landers, David Talbot  
 Max, Jack Stephen  
 McMullen, James R.  
 Ripple, Kenneth Francis  
 Rivers, Lucius Mendel  
 Scully, John Joseph  
 Simpson, William Beck  
 Stevens, John Alden  
 Vanlue, Donald Gilbert  
 Vreancic, Joseph Bruce  
 White, Douglas G.  
 Yates, Joseph W., III

DENTAL CORPS

*To be commander*

Anderson, John Edward  
 Barna, Gerard Joseph  
 Benjamin, Dannie George, Jr.  
 Betz, Robert S.  
 Boone, Jack Lee  
 Breuleux, Philip S.  
 Buchinc, Joseph John  
 Demaggio, Bernard Robert  
 Dombrow, Donald Roman  
 Getz, Edwin Salager  
 Gudger, James Howard  
 Gurson, John J.  
 Harrison, Vernon Paul  
 Heiss, William Charles  
 Hill, Maurice Bernard, Jr.  
 Ingle, Charles Roemer  
 Johnson, Dennis Douglas  
 Karols, Margrieta M.  
 Keiran, Joseph Patrick  
 Kucharz, Kenneth Michael  
 Lockwood, Jeffrey Lynd  
 Munn, James Wesley  
 Nannfeldt, Nicky Wayne  
 Pasciucco, John Joseph, Jr.  
 Reeve, John Standish  
 Roberts, Thomas Cullen, Jr.  
 Sedlak, Mark F.  
 Sloan, Bruce Walter  
 Taylor, James W.  
 Tontz, Russell Clyde, Jr.  
 Twesme, Albert Theodore  
 Wen, Bruce Michael  
 Westover, Bruce Edwin  
 Willoughby, Joseph H.  
 Zillner, Robert J.

MEDICAL SERVICE CORPS

*To be commander*

Bailey, Larry H.  
 Bogel, Dorothy Stevens  
 Brechtel, Lynn Yvonne  
 Brehl, Robert J.  
 Bronson, Gene  
 Burkart, Hanes Aleen  
 Coleman, William M., III  
 Flanagan, Robert Anthony  
 Gambce, Thomas Edward  
 Kau, Melvin Edward Mung K.  
 Milavickas, Louis Rimvydas  
 Mills, Dyann Jorgens  
 Myers, Calvin Peter  
 Nolan, Janiece Simmons  
 Rolfs, James Dean  
 Schuh, Marlin Darwin  
 Stahl, Archie Alan  
 Starr, Betty Wattles  
 Wilson, George Richard



## NURSE CORPS

*To be commander*

Clanton, Shirley Ruth  
 Cline, Joanne Zerbe  
 Coates, Michael Kal  
 Dennis, Karen Elaine  
 Dias, Dawn Marie  
 Doris, Karen Elizabeth  
 Hackett, Margaret E.  
 Majors, Mary Odwyer  
 McKinzie, Dorothy Ann  
 Mottet, Elizabeth Ann  
 Nelson, Deborah McLogan  
 Peck, Edith D.  
 Pettit, Diane Italia  
 Rheiner, Neil Warren  
 Riddlebarger, Rose  
 Robinson, Barrara Jean  
 Saylor, Mary Margaret  
 Schafer, Marie Annette  
 Schwichtenberg, Linda F.  
 Stock, Mary Ellen  
 Tackitt, Patricia Hyland  
 Wheeler, Mary Case

## IN THE NAVY

The following-named Naval Reserve officers to be appointed permanent lieutenant commander in the Medical Corps of the U.S. Navy, pursuant to title 10, United States Code, section 531:

Clapper, Mark F.  
 Deafenbaugh, Martin K.  
 Walker, James H.

The following-named Naval Reserve officers to be appointed permanent lieutenant in the Medical Corps of the U.S. Navy, pursuant to title 10, United States Code, section 531:

Anderson, Deryk L.  
 Bailey, Steven L.  
 Beardsley, David J.  
 Cassano, Victoria A.  
 Collins, John J.  
 Conaty, Kelly R.  
 Ebersole, Russell E.  
 Faison, Clinton F., III  
 Fischer, Robert J.  
 Gilbert, Russell C.  
 Holtel, Michael R.  
 Jorgensen, Nathan H.  
 Lundy, Diane C.  
 McQueston, John A.  
 Maxwell, James M.  
 Nugent, Sharon K.  
 Osgood, John C.  
 Pickett, Mark  
 Prager, Laura A.  
 Rascona, Dominick A.  
 Roush, Timothy S.  
 Russo, Deborah  
 Schraml, Frank V.  
 Sheraden, Jennifer R.  
 Thom, Franklin T.  
 Tomasic, Paul V.

## IN THE NAVY

The following-named officers of the staff corps of the Navy for promotion to the permanent grade of lieutenant commander pursuant to title 10, United States Code, section 628, subject to qualifications therefor as provided by law:

*Lieutenant commander*

## MEDICAL CORPS

Callahan, Joseph A., II  
 Fish, Hamilton Rutledge  
 Quigg, Robert William  
 Watt, George Hilary

## IN THE NAVY

The following-named Naval Academy midshipmen to be appointed permanent ensign in the line or staff corps of the U.S. Navy,

pursuant to title 10, United States Code, section 531:

Abbot, John Fincher  
 Abell, David Gross  
 Abramson, Alan John  
 Adams, Daniel Joseph  
 Adams, Frederick Charles, Jr.  
 Adamus, Daniel Eugene  
 Aguilar, Tomas Jose  
 Aiken, Robert Lustre  
 Alabata, Al Anthony Ozoa  
 Alber, John David, Jr.  
 Albergo, Joseph Robert  
 Alberto, Glen  
 Alicea, Pedro Ramon  
 Allen, Scott Andrew  
 Allman, Bernard Frederick  
 Allman, James Michael  
 Amerine, Jeffery Lee  
 Amiga, Carl Edward  
 Andersen, Kevin Robert  
 Anderson, David Paul  
 Andrews, Frank  
 Andrews, Jeffery Alan  
 Andrews, Tae Wan  
 Aquilino, John Christopher  
 Arends, Paul Matthew  
 Armistead, Edwin Leigh  
 Armstrong, Robert Bronson  
 Arnoso, Joseph Manuel  
 Astrup, Kevin John  
 Atkin, Scott Cody  
 Augustine, John Martin  
 Aumuller, David Francis  
 Avila, Matthew Raymond  
 Babicz, Richard Joseph, Jr.  
 Bagwell, Charles Howard  
 Baker, Beverly Muriel  
 Baker, Dennis Keith  
 Baker, Eric Gene  
 Baker, Miles Cortland  
 Baker, Rosser Owen, Jr.  
 Baker, Thomas Wood  
 Baldwin, Justin David  
 Balon, Michael James, Jr.  
 Bandarra, Brian Edward  
 Barker, Lee Allen  
 Barr, Paul Verner, Jr.  
 Barranco, Mark William  
 Barrish, Rebekah Ruth  
 Bartkoski, Jeffrey Scott  
 Bates, John Stacy  
 Beach, Robert Allen  
 Beagle, Ronda Jean  
 Beasley, Ronald Thomas  
 Beaumont, Paul Michael  
 Beck, Thomas Emmett  
 Becker, Max Andrew  
 Beese, Larry Wayne  
 Belland, Kris Matthew  
 Belt, Warren Curtis  
 Benson, David Russell  
 Berko, David Edward  
 Bernard, Peter Charles  
 Berninger, Steven John  
 Bertolett, Craig Randolph, Jr.  
 Bibeau, Steven Karl  
 Biel, William Scott  
 Biefbrauer, Andreas Paul  
 Bigelow, Andrew David  
 Birdsong, Timothy Fred  
 Bishop, James Howard  
 Bishop, Joel Gardner  
 Blau, Stephen Luther  
 Blue, William Douglas  
 Blum, Kevin Mark  
 Bollinger, Paul Robert  
 Bomberger, Douglas Jay  
 Bond, Byron Edward  
 Booth, David Alan  
 Borden, Susan Christine  
 Borrebach, Douglas Steven  
 Boucher, Daniel Mark  
 Boulden, Mark Stephen

Bournes, Jeffery Loring  
 Bovington, Samuel Roderick  
 Bower, Ralph Waldo  
 Bowie, John Brendon  
 Bowman, Tracy Wade  
 Bowman, William Stevenson  
 Bradley, Brunhilde Kempf  
 Brady, Eugene Giles, III  
 Braithwaite, Kenneth John, II  
 Brand, Gregory Robert  
 Brandquist, Kurt Andrew  
 Brannigan, Peter Owen  
 Brawley, Stephen Craig  
 Brennan, James Joseph  
 Bressler, Yvonne Ginger  
 Briggs, Tod Patrick  
 Broadston, Robert Dean  
 Broadowicz, Mark Edward  
 Brown, Conrad Nelson, Jr.  
 Brown, Douglas James  
 Brown, Jeffrey Carryl  
 Brumley, David Andrew  
 Bruner, Turney Andrew  
 Brunger, Clifford Allan  
 Buck, Nicholas Vincent  
 Buckley, Patrick Edwin  
 Budicin, Robert John  
 Bunker, David Byron  
 Burg, David Louis  
 Burgess, Michael Ian  
 Burke, Kevin Thomas  
 Burns, Daniel Paul  
 Busmire, Terence Edward  
 Butler, Bryan Franklin  
 Bulter, Edward George, II  
 Byrne, Eric Blanchard  
 Cable, John David  
 Calabrese, Thomas Matthew  
 Caldwell, David Matthew  
 Callaghan, Daniel Patrick  
 Callahan, Thomas Patrick  
 Camron, Michael James  
 Campbell, Donald Berlin, Jr.  
 Campbell, Lundy John  
 Campbell, Scott Raeside  
 Campbell, Thomas Michael  
 Campbell, William Kevin  
 Canady, Kerry Brent  
 Cannice, Mark Vincent  
 Capasso, Anthony Thomas  
 Caraveo, Byran Thomas  
 Carothers, Franklin Tudela  
 Carpenter, Glenn Joseph  
 Carr, Lance Steven  
 Carradini, George Steven  
 Carrington, Heather Elise  
 Carroll, Joseph Lawrence  
 Casimes, Alexander Theodore  
 Cassetta, Richard Paul  
 Cassidy, Douglas Patrick  
 Castaneda, William Gregory  
 Catlin, Gordon Paul  
 Cebak, William Theodore  
 Cebulski, Mark Victor  
 Cedrun, Mark Edward  
 Ceraolo, Salvatore Joseph  
 Chachula, Stephen Donald  
 Chaffee, Colin Brett  
 Chase, Donald Frank  
 Chase, Michael Barry  
 Chen, Clement Chiping  
 Chesson, Scott David  
 Chimiak, Mark Walter  
 Chinn, Jan Elizabeth  
 Chipkevich, Mary Beth  
 Christopherson, Ruth Ann  
 Churbuck, James Forrest, Jr.  
 Clark, James Ashley  
 Clark, Lawrence John  
 Clark, Michael Thomas  
 Clark, Raymond Schoenling  
 Clark, Robert Edward, II  
 Clayton, Eric Von  
 Clemency, Steven Charles

Cochran, Paul Rosser  
 Cochran, Steven Michael  
 Collazo, Ramon Antonio, Jr.  
 Collins, Christopher Clay  
 Collins, Donald Edward  
 Collins, Edward Leroy, II  
 Collins, James Joseph  
 Collins, Michael Joseph  
 Comstock, Brett Alan  
 Conkey, Douglas Phillips  
 Conklin, Jeffery Alan  
 Coogan, James William  
 Cock, Joseph Richard  
 Coomber, Allen Charles  
 Cooper, Christopher Riggan  
 Cooper, David Owen  
 Cordle, John Parker  
 Coucoles, Claude John  
 Coulter, Shawn Michael  
 Cox, Charles Ward, II  
 Cox, Richard Erian  
 Crabtree, Gregory David  
 Crabtree, Gregory Wayne  
 Greevy, Lawrence Edward  
 Crespo, Frank Joseph  
 Crisp, Daniel Eric  
 Crow, Lowell David  
 Crump, Gwyn Norman, Jr.  
 Cuff, Thomas James  
 Cunningham, James Doyle  
 Curbeam, Robert Lee, Jr.  
 Cusumano, Cary Allen  
 Czechowski, Richard Brian  
 Dacruz, Daniel Nicholas  
 Dahl, Leif Alan  
 Dallman, Peter Karl  
 Dalton, Thomas Richard, Jr.  
 Dandrea, Victor Brian  
 Daniel, John Michael  
 Darden, Ronald Karl  
 Daseler, Timothy Neil  
 Daverede, Alex Joseph  
 David, Gerral Keith  
 Davis, Jacqueline Renee  
 Deal, James Russel  
 Debode, Gary Scot  
 Decker, Christian Curtis  
 Degroff, Ereck Allen  
 Deitz, Thomas Devlin  
 Deleon, Carlos Eugene  
 Dempsey, William John  
 Denny, Douglas James  
 Dennin, Edward Paul  
 Depman, David Matthew  
 Deppe, Martin William  
 Derald, James Goodwin  
 Deroche, William Henry, Jr.  
 Desens, Mark James  
 Desjardins, Philip James  
 Devin, Michael Gilbert  
 Diantonio, Mark Joseph  
 Dickerson, Cris Lemastus  
 Dimitro, Gregory James  
 Dinicolo, Gina Maria  
 Dion, Larry Donald  
 Ditton, David Anthony  
 Dixon, Kurt Laurence  
 Dobbs, Michael John  
 Dobbs, Philip Raymond  
 Dohoda, Richard Stanley  
 Donlan, Vincent Allen  
 Donnelly, Charles Richard, Jr.  
 Dorbin, James Jonathan  
 Doster, Daniel Gerard  
 Douglas, Gary Lee  
 Downing, Thomas Milnor  
 Doyle, Brian Edward  
 Doyle, Joseph Arthur  
 Doyle, William Gerard  
 Draper, Thomas Paul  
 Drummond, Brad Campbell  
 Dua, Tito Prem  
 Duff, Andrew James, Jr.  
 Duffy, Neil Vincent

Dugan, Donald Richard, Jr.  
 Dukes, Curtis Craig  
 Dunn, Eric Scott  
 Dunson, Jarrell Ridley  
 Dvorak, Mark Joseph  
 Eash, Scott Anthony  
 Eason, Richard James  
 Faves, Kathy Lee  
 Edson, Mark Wendell  
 Edwards, Michael Earl  
 Ehlers, Mark Alan  
 Eldrege, Daniel Everett  
 Elkin, Edmund Lee  
 Elliott, William Dewey  
 Ellis, Lantz Clifford  
 Embestro, Audieame Sarte  
 English, Gary Emery  
 Ennis, John Joseph  
 Enriquez, Noel Molina  
 Eppers, Cynthia Lynn  
 Erickson, Philip John  
 Ernst, Robert William  
 Esch, Paul Stephen  
 Escobar, John David  
 Espinosa, Rafael  
 Etkins, David John  
 Evans, Todd William  
 Everill, Kenneth Alan  
 Everist, Robert Edwin  
 Eves, Matthew Michael  
 Fairley, Maurice Anthony  
 Fallot, Mark Alan  
 Farnett, Kathleen Marie  
 Farrell, Alexander Edward  
 Farrell, Richard Edwin  
 Faucher, William Joseph  
 Fegan, Frederick Morris  
 Fellowes, John Heaphy, Jr.  
 Few, William Virgil, Jr.  
 Fierro, Jesus Jacobo, Jr.  
 Fijalkowski, Joseph Anthony  
 Fillis, Michael Joseph  
 Finney, Peter Todd  
 Fippinger, Eric Kent  
 Fish, Charles Michael  
 Fisher, Thomas Edward  
 Flags, Moreatha Yvette  
 Flock, Bradley Evan  
 Flood, Christopher Hamilton  
 Flores, Edward Achilles  
 Fluhart, John Eryan  
 Flynn, Michael Christopher  
 Fogerty, James Edward  
 Forehand, Mary Virginia  
 Forney, David Neal  
 Forrestal, Thomas Patrick  
 Fortune, Idean Josephine, II  
 Foster, James Thomas, II  
 Frake, William Joseph, IV  
 Franke, Robin Edward  
 Frasse, Christopher Lee  
 Frederick, Charles Andrews  
 Freeman, Linus Walter  
 Freeman, Nicholas Edward  
 Freeman, William Howard  
 Frey, Gary Robert  
 Fricker, Carl Joseph  
 Froncillo, Robert Eugene, Jr.  
 Funk, John Walter  
 Fusto, John William  
 Futcher, Priscilla Ann  
 Gablon, Vergilio Baylon  
 Gacusan, Leonardo M., Jr.  
 Gaines, Leonard Salmon  
 Gallae, David George  
 Gallagher, Thomas William  
 Gallotta, Andrew Richard  
 Galsgaard, Allan Gunnar  
 Garbelotti, Carl John  
 Garcia, Manuel  
 Garland, Robert Wayne  
 Gass, Robert Lee  
 Gattuso, Douglas James  
 Gawryszewski, Paul Mark

Gehan, Thomas Kelly  
 Gehringer, Bryan Thomas  
 Gelinne, John Patrick  
 Gellene, David Joseph  
 Gerhardt, Michael David  
 Giangliuli, Jeffrey Edward  
 Gibson, Henry King, II  
 Gillies, Anne Marie  
 Gilbreath, Harold Lee, Jr.  
 Gibon, Janet Marie  
 Glaeser, John Alden  
 Goaley, Thomas John, Jr.  
 Goff, Jan Thomas, Jr.  
 Goff, Timothy Lin  
 Goins, David Allen  
 Goins, Gregory Allen  
 Gomez, Armando  
 Gonzalez, Robert, Jr.  
 Goodlett, Timothy Rene  
 Goodrow, Erian Douglas  
 Gordon, Scott Stephen  
 Grabarek, Jeffrey Joseph  
 Gradel, Robert Steven  
 Graham, Jeffrey Roger  
 Grammer, Laurie Jo  
 Granier, Marc Edward  
 Graves, Jay Paul  
 Gravini, Stephen Michael  
 Graziano, Andrew James  
 Griffin, Donald Lee  
 Griffin, Scott Fitzgerald  
 Gromek, Christine Maria  
 Groody, Michael Edward  
 Grosskurth, Alfred John, Jr.  
 Gueprero, William Andrew  
 Gufford, Joseph David, Jr.  
 Guileas, Israel  
 Gundlach, Robert John  
 Gurbach, Glenn David  
 Gustafson, Randall Scott  
 Gwin, Mary Elizabeth  
 Haberlin, Gail Maureen  
 Hacker, Rudolph Ernest  
 Haddad, Richard Elias  
 Hagan, Michael Francis  
 Hale, Andrew Martin  
 Hall, David Charles  
 Halpin, Douglas Craig  
 Hamann, John Frederick  
 Hamilton, Leonard Joseph  
 Hamm, James Joseph  
 Hammett, Robert Alan  
 Hamner, Craig Alan  
 Hannan, James William, Jr.  
 Harber, Jonathan David  
 Hardin, Dianne Arlene  
 Hafkey, John Patrick  
 Harms, William Thomas  
 Harris, David Woodard, II  
 Harrison, William Meade  
 Hartman, John Budd  
 Hartman, Jonathan Edward  
 Hasbrouck, John Thomas  
 Hastings, Todd Ernest  
 Hatcher, Charles Sidney, Jr.  
 Haugen, Christian Nicolas  
 Hawley, Brian Christopher  
 Haynes, Larry Norman  
 Hays, Kevin Austin  
 Heaphy, Mark Patrick  
 Hedges, Stephen Eric  
 Hein, August Howard  
 Heiss, John Charles  
 Helinski, Mary Jean  
 Hemmen, John Martin  
 Herlong, George Harveson  
 Herron, John Rowe  
 Heruth, Gregory Alan  
 Heys, William Scott  
 Heyward, Alexander Shannon  
 Higgins, Perry Gene  
 Hile, Michael Karl  
 Hilferty, Sean Thomas  
 Hinen, James William



Hiponia, Lorenzo Sison  
 Hirst, James Joseph  
 Hobaugh, Charles Owen  
 Hoffman, Harold William  
 Hogan, Patrick Robert  
 Holcomb, Ross Douglas  
 Holderied, Kristine  
 Hollenbeck, Ronald Scott  
 Hollingsworth, Alan Lance  
 Hollingsworth, Charles T.  
 Holloway, Dawn Marie  
 Holtkamp, Louis Martin, Jr.  
 Honan, Susan Lynn  
 Hock, Gregory Scott  
 Hoover, David Andrew  
 Horn, Thomas William  
 Hosch, Willie Hill, Jr.  
 Howard, James Heyward  
 Howard, Kevin Thomas  
 Howe, Philip Gardner  
 Hoy, Gary Frederick  
 Hudak, William Patrick  
 Hudson, Derek Dewitt  
 Huff, Thomas William  
 Hullinger, Paul David  
 Inman, Richard Frank, II  
 Intintolo, John Augustine  
 Intoy, Bienvenido Perez, Jr.  
 Ivan, Thomas Robert  
 Jacobson, Matthew Christian  
 Jeleps, Michael Chris  
 Jenkins, Robert Brent  
 Jennings, Kevin Charles  
 Johns, Michael Frederick  
 Johnson, Daniel Ronald  
 Johnson, Jeffery Alan  
 Johnson, John Edward, Jr.  
 Johnson, Perry Edward  
 Johnson, Richard Eldon  
 Johnson, Thomas Parrent  
 Jones, Brian Todd  
 Jones, Michael Lawrence  
 Jones, Steven Robert  
 Jones, Thomas Milton  
 Jordan, John Joseph  
 Jorgensen, John Miles  
 Joseph, Peter Anthony, Jr.  
 Judy, John Lee  
 Jung, David Gregory  
 Kalisch, Mark Robertson  
 Kametz, Robert Andrew  
 Kan, Jonathan Hideo  
 Karabin, Andrew John  
 Karditzas, William C.  
 Karnbach, Christopher Ross  
 Karpick, Gregory John  
 Kasprzak, Mary Antoinette  
 Keller, Glenn Marcus  
 Kelly, Michael Joseph  
 Kent, Rosemarie Theresa  
 Kerr, Cheryl Lee  
 Kiehl, David Lawrence  
 Kilburn, Charles Dale, II  
 Kilday, Kent Lewis  
 Kim, Andrew Chul  
 King, John Graham  
 King, Kelly Ann  
 King, Thomas Randolph  
 Kirby, Melanie Virginia  
 Kircher, Konrad  
 Kirschner, Gregory Scott  
 Kirschten, Christopher R.  
 Kizsee, Carlos Perry  
 Knapper, Roger Kurt  
 Knudson, Wade Edward  
 Kocher, Bruce David  
 Koehler, Kent Edward  
 Kolbas, Patrick Joseph  
 Konicki, Joseph Stephen  
 Koprucu, Feza Suayip  
 Kowalick, David Jude  
 Kramer, Christian Francis  
 Krause, Russell Alan  
 Kriete, David Matthew

Krueger, Bernard Joseph  
 Krueger, Glen Douglas  
 Kumagai, Billy Bedal  
 Kumagai, Danny Bador  
 Kushino, Scott Tetsuo  
 Kutelmach, Michael Peter  
 Kymn, Thomas Soryang  
 Laing, Andrew Gerard  
 Lamade, John Dietrick, II  
 Lamontagne, James Alfred  
 Lamson, Allen Howard  
 Lancaster, George Michael  
 Landess, David John  
 Lanier, Stephen Coleman  
 Lara, James Christopher  
 Larson, Norvan James  
 Lasell, Horace James  
 Laufer, Richard John  
 Laughlin, James Alan  
 Law, Letitia Lynne  
 Lawrence, Richard Tilton  
 Lawver, Philip James  
 Lazevnick, James Francis  
 Leach, Thomas Sumner  
 Leanhart, Jack Eugene, Jr.  
 Lee, Richard Dana, Jr.  
 Lee, Walter Chunwon  
 Lenda, John David, Jr.  
 Lengyel, Peter Nicholas  
 Lerchbacker, John Henry, Jr.  
 Levitt, Adam Shawn  
 Lewis, Lance Erich  
 Lewis, Rebecca Lynne  
 Lihani, David Laddy  
 Lindsay, Charles Taliaferro  
 Lindsey, James Edward  
 Lipphardt, Bruce Lee, Jr.  
 Litton, Andrew Clifton  
 Lluy, Paul Andrew  
 Lochner, Jane Thayer  
 Long, Joseph Vincent, Jr.  
 Lopez, Arturo Antonio  
 Lopez, Michael Ray  
 Lott, Steven Andrew  
 Luke, Thomas Charles  
 Lutton, Todd Caldwell  
 Lynch, Charles Bartholemew  
 Lyon, John Harvey, II  
 Lyons, Mark Randall  
 Malloy, Karen Allene  
 Manley, Thomas Hamilton  
 Mann, Kent Christopher  
 Manning, Cameron Alan  
 Marcum, Donald Gregory  
 Marin, Brian John  
 Marin, David Victor  
 Marnane, Thomas Christopher  
 Marr, Douglas Conrad  
 Marron, Matthew Michael  
 Marshall, Lawrence Eugene  
 Martin, Bradford Laurence  
 Martin, Brion Robert  
 Martinez, John Christian  
 Martinez, Michael Manuel  
 Martinez, Vernon Marks  
 Martini, Charles Joseph, Jr.  
 Marvil, Gregory Peterson  
 Massee, Michael Joseph  
 Matlosz, Henry Peter  
 Matteo, Michael Donald, Jr.  
 Matts, Robert Edward  
 Maurer, Clifford McIntire  
 Mauro, Anthony John  
 Mayer, Peter Clark  
 Mazanec, Warren Anthony  
 McArthur, Stuart Russell  
 McBride, Richard Michael  
 McCabe, Patrick Clarke  
 McCallum, Kevin Kit  
 McCann, Mark William  
 McCarthy, Edward Charles  
 McCawley, Peter Vincent  
 McClary, David Bruce  
 McClellen, Jeffrey Harold

McConnell, James Joseph  
 McCormick, John Scott  
 McCracken, Michael Edward  
 McCreary, Jeffrey Errol  
 McCutcheon, Michael Scott  
 McDevitt, Peter Henry  
 McDonald, Ronald Keith  
 McDowell, Mark  
 McGann, Kenneth Daniel  
 McGann, Stephen Andrew  
 McGarrity, Robert Jude  
 McGaugh, Steven Lee  
 McGee, James Michael  
 McGinty, Sean Patrick  
 McGivney, Michael James  
 McGregor, James Andrew  
 McIlvaine, Brian Andrew  
 McIntyre, Trevor Andrew  
 McKelvey, Matthew John  
 McKenna, Christopher Thomas  
 McKinney, Billy Lynn  
 McLean, Angus Laughton  
 McMasters, William Charles  
 Meadows, Thomas Alan  
 Melcher, Charles Paxson  
 Menendez, Arsenio Klecker  
 Menzel, Anthony Henry  
 Mergen, William Lynnwood, Jr.  
 Merino, Donald William  
 Merk, Heidi Marianne  
 Mesora, George Thomas, Jr.  
 Meurer, Andrew Mark  
 Mew, Wendell Quan Yau  
 Meyer, Eric Charles  
 Michael, Craig William  
 Michaud, Mark Edward  
 Midas, Michael Thomas  
 Miller, Dean Alan  
 Miller, Joseph Pearce  
 Miller, Marc James  
 Miller, Nathan Hills  
 Miller, Steven Jerome  
 Miller, Terry Wayne  
 Miller, Thomas Henry  
 Miranda, Ricardo Franco  
 Mitchell, Douglas Paul  
 Mize, Ralph Daniel  
 Mohle, Robert Edgar  
 Mohr, Mark Camillus  
 Mohs, Samuel David  
 Mologne, Timothy Scott  
 Monahan, Kevin John  
 Mongan, Joseph William  
 Montgomery, John Wesley  
 Mooney, James Hendrix  
 Moore, Lawrence Robert  
 Moore, Michael Lydane  
 Moran, Michael Thomas  
 Morrow, John Kevin  
 Mortensen, Thomas Charles  
 Mosher, Terry Daines  
 Moulton, Joseph Russ, Jr.  
 Mueller, Michael Dean  
 Mullenburg, Bret James  
 Muldoon, Richard Charles  
 Mullen, Michael Donald  
 Mullenhard, Peter Marshall  
 Munoz, Andres Dario  
 Murdock, Hal Crawford  
 Murphy, Brian Patrick  
 Murphy, Gerard Francis  
 Murphy, Michael John  
 Murray, Glenn Andrew  
 Murray, Joseph Barney  
 Murray, Mary Kathleen  
 Murray, Michael James  
 Murtha, Brian Charles  
 Myers, Robin Keith  
 Myre, David Daniel  
 Naeyaert, Laurence John  
 Nardi, Peter Andrew  
 Navin, Gregory Stuart  
 Neal, Sherman Levon  
 Nedry, Douglas Brenc

Neely, David Todd  
 Nelson, Scott Kemper  
 Nenna, David Lawrence  
 Nepf, Hans Joseph  
 Nesta, Lou Anne  
 Nevins, Michael James  
 Newman, Mark Charles  
 Newman, Scott Michael  
 Newton, Robert Forrest  
 Nichols, Alan Ross  
 Nichols, Michael John  
 Nicoson, Daniel Ray  
 Nielsen, Erik Wayne  
 Nixon, Randall Lamar  
 Noah, Christian Thomas  
 Nolan, Timothy Joseph  
 Nolen, Thomas Daniel, Jr.  
 Noreika, Scott Richard  
 Nowell, John Blackwelder  
 Nowicki, Jonathan Scott  
 Oakenell, Robert Frederic  
 Oberle, John Hampton  
 O'Connell, William Michael  
 Ogara, Michael Vance  
 Oh, Sehun  
 Ohlhaber, Michael James  
 Olds, Robert Barnard, Jr.  
 Olivier, Patrick Dean  
 Olsen, Kurt Brian  
 Olsen, Robert Miller, Jr.  
 Ondrey, Larry Patrick  
 Onorati, Anthony Beach  
 Openshaw, Mark Falge  
 Orren, Scott Charles  
 Orton, William David  
 Osen, David Monroe  
 O'Sullivan, John Patrick  
 Oswald, Peter George  
 Otis, Glen  
 Owens, Thomas Michael  
 Pagano, James Jerome  
 Pagel, Rick Alan  
 Pagnanelli, Marco Antonio  
 Palmiotto, Nicholas  
 Panico, Earl Anthony  
 Parillo, John George  
 Parsons, Marshall Clay, Jr.  
 Pasola, Joseph John  
 Pasternak, Joseph Francis  
 Patterson, Mark Alan  
 Paulk, Robert Reason  
 Paulson, William Anton  
 Pease, Gregory William  
 Pease, Michael Ray  
 Peckenpugh, Kent Thomas  
 Peffers, Stephen Byrle  
 Pence, Timothy Barry  
 Pendola, John Joseph  
 Peoples, Gerald Keith  
 Perkins, Charles Kenneth  
 Peters, Gerald Antony  
 Peters, Steven Bradley  
 Petersen, Deborah Kay  
 Peterson, Ray Aldin  
 Pettitt, David Glenn  
 Petrosino, Frank Michael  
 Pfeiffer, Sharon Esther  
 Phifer, Christine Ann  
 Pickerill, Theodore Oren, II  
 Pierce, Randall David  
 Pitpit, Michael Callueng  
 Plaisance, Marc Charles  
 Ploeger, Terry Lee  
 Poindexter, Scott Herndon  
 Pollak, John Creighton  
 Ponseigo, Andrew Craig  
 Ponturiero, Augustine John  
 Porter, Mark Emmett  
 Porter, Scott Russell  
 Potochniak, Michael Petro  
 Povlock, Paul Anthony  
 Powell, Kerim Lamar  
 Poynter, Brent Eugene  
 Pratt, Victor Dwight

Pregel, George Anthony  
 Price, Gary David  
 Price, Lenny Francis  
 Prokopiak, John Alexander  
 Prusinski, Mark Allen  
 Przybyszewski, John Michael  
 Pulliam, Andrew Joseph  
 Purcell, Michael Eugene  
 Quick, Natalie Ada  
 Quigley, Mark Robert  
 Quigley, Timothy James  
 Quinn, Mark Christopher  
 Quinn, Thomas Jude  
 Quint, John Howard  
 Quintong, Artemio P., Jr.  
 Quist, Gary Alan  
 Rabun, Patrick Coffier  
 Rabuse, Robert Ben  
 Rahn, Martin  
 Rainey, Charles Andrew  
 Randolph, Scott Howard  
 Ransom, Thomas Simmler  
 Rasbury, Stanley Okoye  
 Rasplicka, Scott Herrin  
 Ratcliff, Blake Dale  
 Ratte, David Scott  
 Rawhouser, Marjorie Ann  
 Ray, Tod Gene  
 Reape, John James, Jr.  
 Refs, Jon Rhodes  
 Reimer, Jon Eric  
 Renda, Edward Michael  
 Rice, Eric Rodney  
 Rich, Nelson Judson, III  
 Richardson, Robert Rollin  
 Richmond, Clay Allen  
 Ridder, Samuel Melvin, II  
 Riley, John James  
 Ringel, Jeffrey Thomas  
 Ripley, Scott David  
 Roberts, Julie Marie  
 Robinson, Mark Douglas  
 Rodriguez, Jorge Emilio  
 Rogers, Timothy Joel  
 Romaine, Robert Kenneth, Jr.  
 Romero, Glenn Robert  
 Roper, Dallas Roy  
 Roquebert, Javier Enrique  
 Rosa, Ivan Rosa  
 Rosen, Eric David  
 Roskey, Sean Thomas  
 Rowe, Barton Michael  
 Rowsey, Robert Royce  
 Ruedi, David Holt  
 Russell, Robbin Alan  
 Ryan, Leslie Robert  
 Saccavino, Anthony Ralph  
 Sakaniwa, Mark Steven  
 Salach, Michael  
 Samoa, Arthur Kevin  
 Sanchez, David Allen  
 Sanders, William Duward  
 Sauer, James Anthony  
 Saunders, Clayton Douglas  
 Sawitsky, Joseph Michael  
 Sawyer, Robert Landel  
 Scannell, James Andrew  
 Schaefer, Thomas Alfred  
 Schlegel, John Henry  
 Schleicher, Donald Harry, Jr.  
 Schmidt, Dean Christopher  
 Schmiele, Donald Allen, Jr.  
 Schmitt, Jeffrey Reed  
 Schmitz, Joanne  
 Schmode, David Michael  
 Schofield, James McKenna  
 Scholl, Jonathan Wade  
 Schultz, Glen Andrew  
 Schumacher, Linda Marie  
 Schwenker, Carl Emerson  
 Scioli, Blaise Elliott  
 Scott, Kurt Venard  
 Selas, David Andres  
 Selbrede, Craig Michael

Seutter, Lawrence Wayne  
 Sexton, Roy Dale  
 Sharp, Alexander Vincent  
 Sheldahl, Richard James  
 Shepherd, Michael Andrew  
 Shepherd, Stephen James  
 Sheppard, Deborah Lynn  
 Shibe, Robert Bruce  
 Shoemaker, Robert Lyle  
 Shore, Gregory Allan  
 Shupinski, Douglas Francis  
 Sichau, Ronald Peter  
 Sichler, Robert Alan  
 Sileo, Daniel Michael  
 Silva, Raul  
 Skinner, Steven Gregory  
 Slawson, Alton Clayton, Jr.  
 Smith, Alexander Peterson  
 Smith, David Hanson  
 Smith, Jonathan Jerome  
 Smith, Norman Paul  
 Smith, Steven Michael  
 Smith, Thomas Michael  
 Smyers, Tracy Dean  
 So Johnson, Pineda  
 Soleng, Sonja Patricia  
 Sonderman, Christopher James  
 Sousa, David Richard  
 Spearing, Scott Steven  
 Speer, Robert David  
 Spooner, Scott Grove  
 Spradlin, Michael David  
 Springer, Phillip Wayne  
 St. Pierre, Albert Leonard  
 Stahl, Glenn Earl  
 Stamos, John Peter  
 Standard, Karl Ann  
 Starling, Scott Gregory  
 Steckel, John Conard  
 Stefanko, Jerome Stephen  
 Steindl, David Frank  
 Stender, David William  
 Stephens, Carla Renee  
 Stephens, Robert Alex  
 Stephens, William Harrison  
 Sterling, Glen Reay  
 Sternberg, Charles Andrew  
 Stevens, David Walter  
 Stevens, Monica  
 Stevick, Robert Kevin  
 Stewart, John Albert  
 Stoddard, Daniel Gene  
 Stolarski, Mark Anthony  
 Stolley, Erian Keith  
 Storey, Kurt Duncan  
 Storto, Mark Daniel  
 Stovall, Lawrence Samuels, II  
 Stowe, Robert Weston  
 Strand, Michael Anthony  
 Stuart, Allan James  
 Stubblefield, Robert A., Jr.  
 Stubbs, Thomas David  
 Stys, Mark Vincent  
 Sullivan, Michael Daniel  
 Sullivan, Sean Michael  
 Summerfield, Harry Michael  
 Summers, Timothy Wayne  
 Suriano, Douglas Anthony  
 Sutton, Frank Erwin  
 Swain, Gary Thomas  
 Swift, Charles Davidson  
 Sylvester, John Alfred  
 Sympson, William G. A., III  
 Syring, Robert George, Jr.  
 Szymanski, Scott Edward  
 Taff, William Bayly  
 Tajiri, James Shizuo  
 Talamantes, Clarence Scott  
 Taverna, Joan Teresa  
 Taylor, James, Jr.  
 Teclaw, Daniel Edward  
 Terwilliger, David Charles  
 Tettelbach, Clayton Graham  
 Thatcher, Steven Jeffrey



Thien, Joseph Raymond  
 Thomas, Amy Elizabeth  
 Thomas, Douglas Peter  
 Thomas, Greg Alan  
 Thompson, Jeffrey Scott  
 Thompson, Mark Alan  
 Tillery, Robert Kevin  
 Tillman, Willard, Jr.  
 Tirman, Kerry Robert  
 Todd, Stevenson Lancaster  
 Tolg, Anne Maureen  
 Turner, Jeanfrancois  
 Turner, Stacy Lee  
 Ulloa, Rafael Emilio  
 Vagnoni, Adrian Francisco  
 Vandenberg, Gerard Michael  
 Vanderschoot, David Allan  
 Vann, James Roger  
 Vautier, James Wilson  
 Vermaat, Maarten  
 Vinzon, Noel Garcia  
 Vogel, Scott Owen  
 Vogelsang, Scott David  
 Wach, Raymond Penafort  
 Wagoner, Keith Leonard  
 Waldschmidt, Matthew Guy  
 Wall, Victoria Anne  
 Wallace, Donald Joseph  
 Wallace, Matthew Thomas  
 Walsh, Patrick Jay  
 Walton, Stephen Bradford  
 Walton, Terrance Bernard  
 Ward, Harry Paul  
 Wasko, James Matthew  
 Waters, Gregory Thomas  
 Watson, Gary Howard, Jr.  
 Watson, William Doster  
 Waugh, James Lawrence  
 Weber, Jeffrey James  
 Webster, Allison Dee  
 Weidenhammer, William Harvey  
 Weigold, John Frederick  
 Weires, John Edmund  
 Weistroffer, Joseph Kenneth  
 Wertz, Trent "L"  
 Westerbeke, John Bradley  
 Whalen, Kent David  
 Wharton, Jason Scott  
 White, Ira Russell, II  
 Wiegert, Robert Nikolaus  
 Wiggins, John Wesley  
 Wilcox, John Brian  
 Wilhelm, James Walter  
 Wilhelm, Ross Michael  
 Wilkes, Dana Scott  
 Willette, Perry Neal  
 Williams, Gary Harmon  
 Williams, Scott Jeffrey  
 Williams, Terrance  
 Williamson, Timothy Lee  
 Wills, Eric Gardner  
 Willson, James Griffin  
 Wilson, Edward Paul  
 Wilson, Gregory Patterson  
 Wilson, Michael Murphy  
 Wilson, Woodrow, III  
 Winering, Karen Anne  
 Wing, Thomas Mathias  
 Wise, Timothy Alan  
 Witte, Barry Robert  
 Wittick, Brian David  
 Wix, Roseann Leonie  
 Woessner, Scott Brenton  
 Wojtkiewicz, Paul Joseph  
 Woltersdorf, Kurt Dustin  
 Woods, John Chester  
 Wright, Darin Claude  
 Wright, Steven Roland  
 Wright, William David  
 Wrzeszcz, Branch Owen  
 Wuestenberg, Diane Marie  
 Yablunsky, David Eric  
 Young, Jeffrey Alan  
 Young, Maude Elizabeth

Young, Steven Gregory  
 Yu, Michael David  
 Zamka, George David  
 Zaun, Jeffrey Norton  
 Zevotek, Dale Jeffrey  
 Ziemian, Joseph Brandon  
 Zimmer, Geoffrey Alan  
 Zublic, Charles Boden  
 Zwirner, John William, Jr.

## IN THE NAVY

The following named chief warrant officers, W-4 to be appointed permanent chief warrant officer, W-2, in the U.S. Navy, pursuant to title 10, United States Code, section 555:

Crawford, James W.  
 Phillips, Kim A.

The following named chief warrant officers, W-3 to be appointed permanent chief warrant officer, W-2 in the U.S. Navy, pursuant to title 10, United States Code, section 555:

Spellman, Frank R., Jr.  
 Tesnow, Ronald L.

The following named Navy enlisted candidates to be appointed permanent chief warrant officer, W-3 in the U.S. Navy, pursuant to title 10, United States Code, section 555:

Bartlett, John Gary  
 Conklin, Alan Gregory  
 Cunliffedwen, James D.  
 Danico, Edward Loyola  
 Dean, Robert Anthony  
 Ethridge, James Walker  
 McMahon, David Charles  
 Meyer, Allen Leslie  
 Music, Lucian, Jr.  
 Nielsen, David Elmer  
 Orvis, William Arthur  
 Pitchford, Robert G.  
 Reed, Edward Albert  
 Rosenthal, Stanley W.  
 Thompson, Davis Lawrence  
 Warren, James Carlton, Jr.

The following named Navy enlisted candidates to be appointed permanent chief warrant officer, W-2 in the U.S. Navy, pursuant to title 10, United States Code, section 555:

Agcaolli, Bonifacio Kidipan  
 Allcock James Earl  
 Allen, Gale Leslie  
 Anderson, Ricci Ray  
 Argandona, Arnond Gordon  
 Arrington, David Eugene  
 Balles, David Keith  
 Bamberg, Brady Lawrence  
 Bargar, David William  
 Barnes, Thomas Emerson, Jr.  
 Beltran, Romeo Magallanes  
 Blasingame, Edward Otto  
 Bond, John Howard, Jr.  
 Bone, Richard Dean  
 Booe, Charles Joseph  
 Booth, John David  
 Booth, Richard Arthur  
 Boutin, Raymond Paul, Jr.  
 Brooks, Rocky Lee  
 Brown, James Oliver  
 Brown, Louis William  
 Buentello, Daniel  
 Burgess, Richard Paul  
 Burnett, John Timothy  
 Burns, James Dee  
 Bush, Norman Kenneth, Jr.  
 Bush, Wilfred Leo  
 Butler, Charles Granville  
 Butz, Barry Philip  
 Cameron, Robert Allen  
 Campbell, Tony Lammar  
 Capito, George Raymond  
 Carandang, Leonidas Morada  
 Carothers, Kent Edward

Carter, Gregory Alan  
 Carter, William Keith  
 Casas, Arturo Antonio  
 Castro, Reynaldo Ebred  
 Catletti, Anthony  
 Chandler, Lara  
 Claiborne, Edmond Leon  
 Clark, Merrill Marvin  
 Clayton, Brooks F.  
 Colada, Roberto Buhay  
 Cole, Bradoc Alan  
 Coleman, Charles Wadsworth  
 Connolly, Timothy Michael  
 Cooper, Clyde, Jr.  
 Cradit, David Neil  
 Cramer, Michael Ray  
 Crotty, James Thomas  
 Cruz, Francisco Quidachay  
 Cullen, Paul Pierce  
 Cummings, Joe Willie  
 Cunningham, Ronald Keith  
 Darby, Donald Eugene  
 Daughenbaugh, John Lester  
 Davis, John Wesley  
 Deguzman, Bernardo Baniqued  
 Deibler, Richard Galen  
 Depauw, Steven Douglas  
 Deweerdt, Gregory J.  
 Diehl, Stephen A.  
 Dobbs, John Dalton  
 Dolsak, Frank Steven  
 Duame, Thomas John, III  
 Eaton, Norman Douglas  
 Eberhardt, Joseph D.  
 Eccard, David Gerald  
 Ellis, Wilfred Eugene, II  
 Erickson, Jon Kristian  
 Evans, Robert Eldon, II  
 Everette, Terry Lamar  
 Faris, James Carroll  
 Faulk, Cecil Ray  
 Fite, Karl Dwayne  
 Flynt, Barry Paul  
 Fong, Wayne Yel  
 Free, Reginald Phillip  
 Galiatti, Frank Anthony  
 Gandolfo, Dennis Leroy  
 Gand, William Howard  
 Gehrlich, John Richard  
 Gibbons, Karl Edward  
 Giltz, Theodore Paul  
 Granillo, Manjel, Jr.  
 Green, Gregory Lee  
 Grinstead, Barry Malcom  
 Gunnnett, Robert Eugene  
 Hains, Dan Stillery  
 Hamilton, Harold Ralph  
 Hanshaw, Robert Bayliss  
 Hawkins, Donald Lee  
 Hayes, Glenn Perry  
 Hedrick, Thomas Wellington  
 Hennessy, William Joseph  
 Henry, Barry Lee  
 Hewlette, Ronald Eugene  
 Hilborn, Roy Clifford, III  
 Hill, Paul Edwards, Jr.  
 Hollis, James Walter, Jr.  
 Holmes, Jack William  
 Holt, Edwin William, Jr.  
 Hock, Rober Anthony  
 Hughes, William Joseph  
 Iverson, Kenneth Lee  
 Jackson, Charles D., Jr.  
 Jewell, Hilda Elaine  
 Johnson, Kenneth Oliver  
 Johnson, William Arthur  
 Jones, Larry Maylan  
 Jones, Thomas Elwood  
 Juris, Jon Harley  
 Keidel, Herman Lee  
 Ketchum, Jerry Morrell  
 Kiehlmeier, James Richard  
 Killingsworth, James R.  
 Kirkpatrick, Stephen Lawrence

Kleemann, Richard Frederick  
 Klippel, Kurt Vohn  
 Klotz, William Frank  
 Kock, Lindbergh, Jr.  
 Kolstee, Robert Charles  
 Koski, Bruce Melvin  
 Krass, Robert James  
 Krull, Charles Albert, Jr.  
 Krumland, John August  
 Laflamme, Wayne Alfred  
 Langlois, David Marc  
 Laughing, Gerald Angus  
 Law, Raymond George  
 Lawrence, Anthony James  
 Lemley, Julian Roger  
 Lessard, Vance Vernon  
 Lippolis, John  
 Logsdon, Michael Ernest  
 Loos, James Otto  
 Lopez, Eduardo Diaz  
 Maines, Henry Allen  
 Malone, Charles Lee  
 Marcelo, Froilan Roan  
 Maresca, Louis Dominic  
 Marsh, James Elmer  
 McCartney, Michael Allen  
 McDermott, Edward Michael J.  
 McGarrigle, Geoffrey William  
 McGrath, Charles William, Jr.  
 McLean, David Milton, Jr.  
 McShane, Michael Joseph  
 Mikovits, Patrick Louis  
 Miller, Dale Lee  
 Mitchell, James Craig  
 Moon, Alfred Wayne  
 Moreno, Juan Ramon  
 Morgan, Steve  
 Morrow, James Carl  
 Molvoy, Michael Joseph, Jr.  
 Myaer, Leslie Gale  
 Myatt, William Frederick  
 Nahitchkevansky, Antony Herv  
 Netherton, Ian Wayne  
 Noteware, David James  
 O'Brien, William Joseph, Jr.  
 Osborn Michael Bonner  
 Pack, Robert Duane  
 Parker, Ronald Evan  
 Parson, Gaylon Wayne  
 Pasco, Reynaldo Durumpili  
 Patterson, Clyde Lenard, Jr.  
 Payne, Forrest Weldon, Jr.  
 Pease, Stephen Lane  
 Peck, Joseph Settle  
 Pelletier, Albert Joseph II  
 Perkin, Charles Emil, Jr.  
 Pinkham, Alfred Douglas, Jr.  
 Piwko, John James  
 Poisson, Phillip Thomas  
 Pollick, Arthur Lee  
 Poole, Roger Wade  
 Pope, Rufus, David  
 Porter, James Philli  
 Quinto, Mariano Albarillo, J.  
 Quiroz, Eduardo Leonardo  
 Radwan, Robert Joseph  
 Reed, William Gordon  
 Resolme, Felix Abdon, Jr.  
 Revels, Benny Curtis  
 Robinson, Walter Cleve  
 Rogers, William Kilduff  
 Rohan, James Robert  
 Roof, Donald John  
 Rose, Michael Bernard  
 Rowley, Clyde E.  
 Rugen, Raymond Wesley  
 Ruizosuna, Hector  
 Rummans, Danny Charles  
 Rutledge, Virginia Blanche  
 Ryan, Jean Ann  
 Salazar, Arnoldo Arturo  
 Samford, Dennis Wayne

Sanborn, Vaughn Kimball  
 Sanders, Berdell  
 Santiago, Martin, Jr.  
 Scalpi, Joseph Michael  
 Schneider, Steven Paul  
 Scruggs, Ted Junior  
 Seaman, Franklin B.  
 Setler, Robert Lee, Jr.  
 Shaffer, Robert Noel  
 Sharp, Daniel Joseph  
 Singer, Alois Nicholas, Jr.  
 Smith, Andrew  
 Smith, Henry Lee  
 Smith, James D.  
 Smith, Willard Gerald, Jr.  
 Spaid, Thomas Carl  
 Spain, John Charles  
 Stevens, Douglas B., Jr.  
 Stidham, George William  
 Strohl, Donald Duane  
 Styskal, Theodore Joseph  
 Sullivan, Charles Schuyler  
 Sullivan, Robert John  
 Thompson, Richard Francis  
 Timms, James Rayferd  
 Touse, Miguel Angel  
 Tripp, Francis Stanley  
 Tucker, James Lee  
 Tyler, Robert Allen  
 Uptergrove, Joseph Edward  
 Valdillez, Ramon  
 Vega, Jose Rodolfo  
 Waller, John Patrick  
 Walsh, Kevin Michael  
 Ward, Thomas Alan  
 Way, Clyde Wesley  
 Weatherman, James Keneeliou  
 Weber, Gary Robert  
 Wertman, Eugene Thomas  
 West, John Lamont  
 Westbrook, Oscar Clyde  
 Wheeler, Henry Charles  
 Wheeler, Paul Alan  
 White, Murray, Jr.  
 White, Roy David Castro  
 Whitfield, John Edward  
 Widener, Jerry Wayne  
 Wilde, Stephen Lee  
 Wilkins, S. Glen Dale, Jr.  
 Wilkins, William David  
 Wilt, Steven Michael  
 Withee, Theresa Ann  
 Wolff, Joseph Steven  
 Woltemath, Charles Robert  
 Wujcik, Michael Alan  
 Wyman, George Steven  
 Wyninger, John David  
 Yeagain, Dennis Robert

#### IN THE COAST GUARD

The following officers of the U.S. Coast Guard for promotion to commodore:

Capt. Howard B. Thorsen  
 Capt. Alan D. Breed  
 Capt. John W. Kime

The following named commanders of the Coast Guard Reserve to be permanent commissioned officers in the Coast Guard Reserve in the grade of captain:

Joseph P. Cooley, Jr.  
 Henry D. Casey  
 Vincent G. Dipasqua  
 Harry W. Brown  
 Richard J. Kiessel  
 Robert D. Markoff  
 George H. Geller  
 Martin E. Johanson  
 Michael V. Leahy  
 Carl M. Trovato  
 Donald L. Pulket  
 Gary J. Ausman

Richard L. Skok  
 Charles J. Zammitt  
 Karl L. Reichelt  
 Ray A. Heller  
 Wayne W. Pulley  
 Benjamin B. Baker  
 Herbert J. Spiegel  
 Paul S. Schooler  
 Warren G. McDonald  
 John F. Rump  
 Tad D. Kelley

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the National Oceanic and Atmospheric Administration:

#### To be captains

Walter F. Forster II  
 Jeffrey G. Carlen  
 Phillip C. Johnson

#### To be lieutenants

Federico R. Diaz  
 V. Dale Ross  
 Frederic R. Plotkin  
 Michael Mallette  
 Brian P. Hayden  
 Eric Secretan  
 Robert W. Maxson  
 Gary D. Petrae  
 James C. Gardner, Jr.  
 James L. Long

#### To be lieutenants (junior grade)

Kenneth P. Peters  
 Victor M. Rodriguez  
 Grady H. Tuell  
 Frederick M. Rossmann  
 Perry N. Glickman  
 Robert D. Henegar  
 Susan D. McKay  
 Elizabeth A. Steigerwald  
 Michael R. Mathwig  
 Frank A. Wood  
 Steven R. Barnum  
 James R. Morris  
 Andrew J. Aldridge IV  
 Arthur E. Francis  
 Bobby L. Coakley  
 Sharon K. Christopherson  
 Richard B. Koehler  
 Joanne F. Flanders  
 Craig L. Bailey  
 Roslyn B. Harris  
 Paul J. Ruiz  
 Frank J. Migaiolo

#### To be ensigns

Russell E. Brainard  
 Timothy D. Tisch  
 Thomas G. Callahan  
 Andrew J. Allen  
 Wendy A. Stephenson  
 Steven A. Thompson  
 William E. Sites  
 Daniel E. Clements  
 George A. Galasso  
 Nancy L. Crews  
 Janet L. Hendrix  
 Debra M. Davis  
 Jonathan C. Garvin  
 Kenneth W. Barton  
 Wayne E. Mitchell  
 Beth A. Brackett  
 Jason H. Maddox  
 Jeffrey F. Salmore  
 Randal J. Shruell  
 Paul X. Burt



Mark P. Ablondi  
Rae M. Allen  
Michael F. Cholko  
Bruce R. Voorheis  
Victoria A. Barnum  
Duane A. Timmons  
Clifford C. Wilson

## DEPARTMENT OF STATE

Walter Leon Cutler, of Maryland, a career member of the Senior Foreign Service, class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Saudi Arabia.

Thomas W. M. Smith, of Maine, a career member of the Senior Foreign Service, class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Nigeria.